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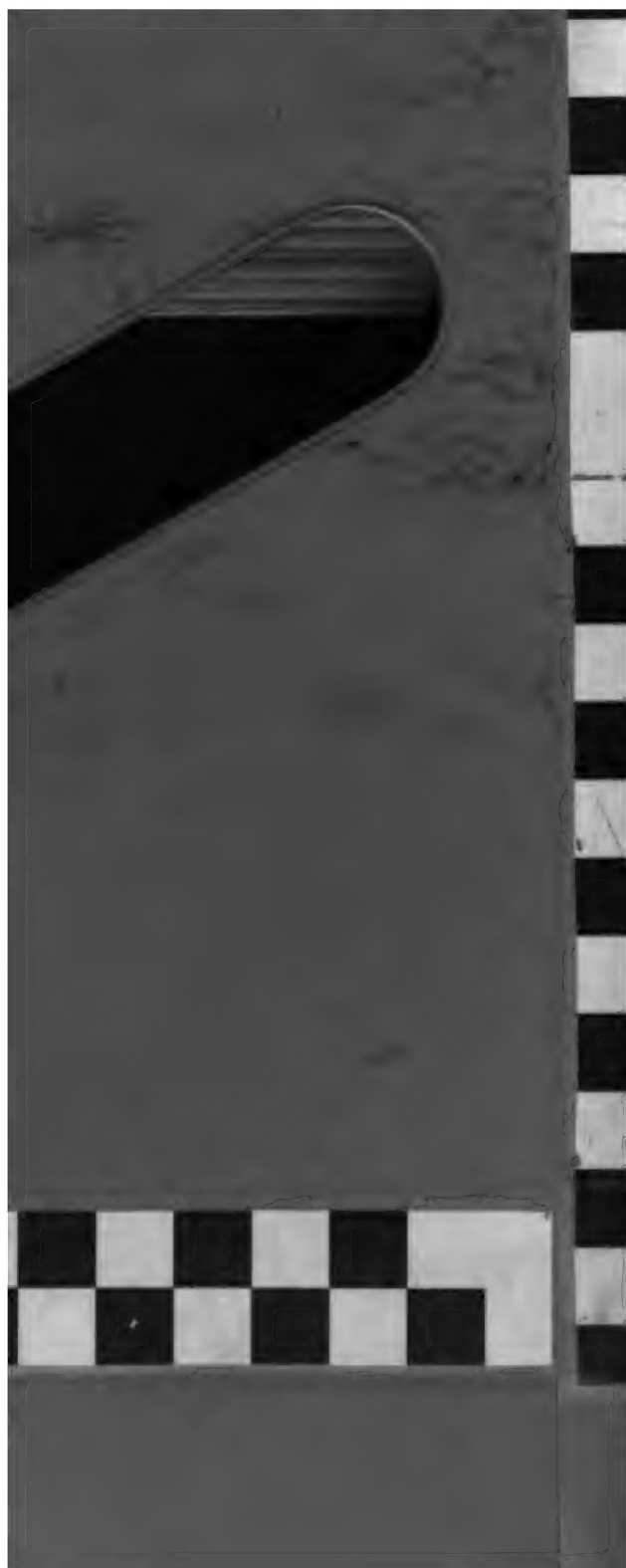
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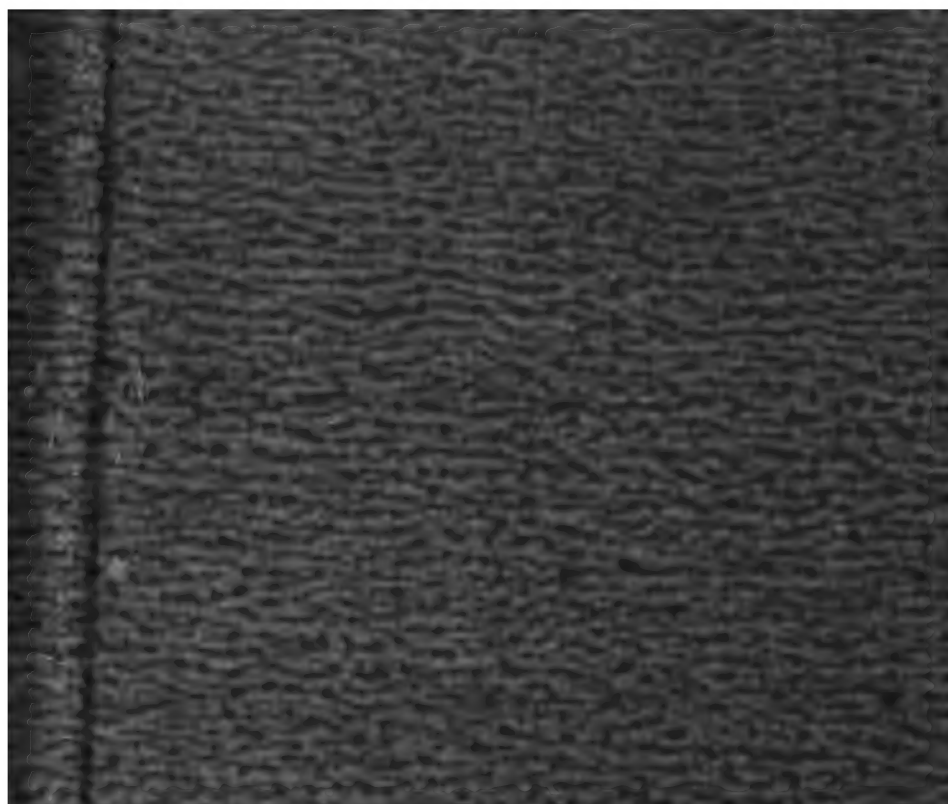
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*M Lyon*

# MATTHEW LYON

THE HAMPDEN OF CONGRESS

A BIOGRAPHY

ILLUSTRATED

BY

J. FAIRFAX McLAUGHLIN, LL.D.

*Author of "College Days at Georgetown," "Origin of the Star Spangled Banner," "Sketches of Fisher Ames, Alexander H. Stephens, and Benjamin Robbins Curtis," etc.*



NEW YORK:

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# IMPORTANT ANNOUNCEMENT--JUST ISSUED

Matthew Lyon—The Hampden of Congress—A Biography.

By J. FAIRFAX McLAUGHLIN, LL.D.

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NEW YORK: WYNKOOP HALLENBECK CRAWFORD COMPANY, 1900.

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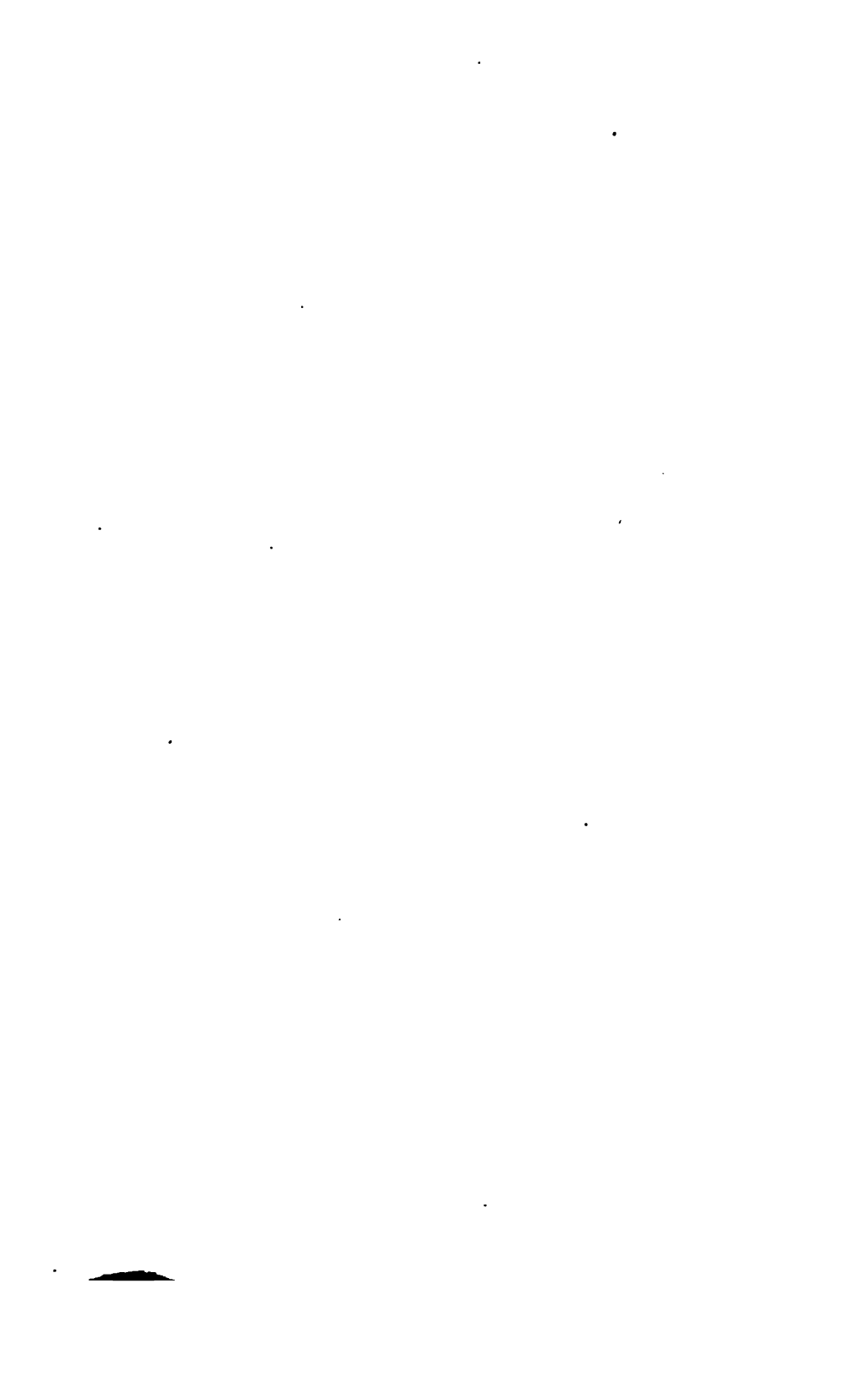
The career of Matthew Lyon, founder of Fair Haven, Vermont, and Eddyville, Kentucky, bristles with historic action. His scornful defiance of Peter Porcupine, the univalled scold of American politics; his battle-royal on the floor of Congress with Roger Griswold, in 1798; his imprisonment by John Adams under the Alien and Sedition laws, and triumphant re-election, while in jail, to his seat in Congress; his memorable vote in the House in the Jefferson-Burr contest of 1801, which decided the presidential election in favor of Jefferson; his timely revelation to Andrew Jackson of Aaron Burr's conspiracy to conquer the Dons, and turn the Louisiana purchase into an Empire; his fierce encounter in debate with John Randolph, of Roanoke, over the Yazoo frauds—these are but a few of the incidents in the career of Matthew Lyon which stamp him a remarkable man, and won for him the meed of praise of Albert Gallatin and James Monroe in the past, and of Charles A. Dana and Rudyard Kipling at the present day.

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## INTRODUCTION.

**N**O other American has illustrated more thoroughly than Matthew Lyon the excellence of democratic institutions in affording to every man of character and talents a fair field for honorable distinction. But so fleeting is political eminence, so evanescent are the highest distinctions of government, that it is doubtful whether the name of Lyon, who in his day and generation filled conspicuous places as soldier, civilian and congressman, and was as well known as any man in America, has not been entirely forgotten by ninety-nine out of every hundred American citizens. Such is fame.

A century ago he who did not know Matthew Lyon of Vermont might well confess himself unknown. In a century more how few of the great men of to-day, heroes of the passing hour, presidents, governors, senators, congressmen, ambassadors, generals and admirals, alas, how few of them all shall have escaped the fate of Matthew Lyon, and, like him, not be entirely forgotten!

"The evil that men do lives after them,  
The good is oft interred with their bones."

Feeling an aversion for political pamphleteers who pretend to write American history, I resolved many years ago to investigate diligently all accessible sources of information which might throw light upon the events of Matthew Lyon's life, and to gather up the facts of his career into a connected narrative. It was an immense labor. Local chronicles, moth-

eaten documents, court records, congressional and State legislative annals, and county, town and State histories; innumerable pamphlets and lists of essays, addresses, lectures, and other fugitive productions, often found in book catalogues comprised under the head of Americana; old letters fortunately preserved in the hands of his descendants and others;—such was the wide field in which I delved industriously for long years. Interest in the subject constantly increased, and after I had compiled a half dozen big scrap-books, I began to digest materials and write the following pages. At last the task, thought quixotic by several friends, was completed.

I had written the life of Matthew Lyon, but who was going to publish it? One publisher after another was consulted, and all of them proved languid. “Who was Matthew Lyon?” They did not know anything about him; the public was not interested in him. From the commercial point of view, they saw no money in such a book. Reluctantly enough the manuscript was laid aside, and might have reposed neglected in my library until *vixit* should be written after my name, when probably it would be sent to the paper mill with other rubbish, or left to be devoured by mice in the attic. From this fate a lineal descendant of the old Revolutionary hero finally rescued it by what appeared to be the merest accident.

He chanced to read an article of mine in the New York Sun on the late Hon. John Randolph Tucker, a few days after the death of that brilliant Virginian, and surmised that the writer peradventure might know something about his own great-grandfather, Matthew Lyon. This haphazard conjecture was brought to my notice by a letter from the gentleman in question, Col. Edward Chittenden Machen, of New York city.



Great was his surprise when he learned that I had written a Matthew Lyon biography. He called upon me, I handed him the manuscript for perusal, negotiations were opened for its publication, and in this strange, almost romantic manner the following pages have been brought to light. Colonel Machen not only paid me for my work, but has assumed all the expenses of the publication, and his pious reverence for his ancestor deserves a suitable recognition from every one, now or hereafter, who may become interested in the subject.

A native of Ireland, born in the year 1750, in the Golden Belt of Wicklow, Matthew Lyon had the misfortune, according to the Kentucky historian Collins, of losing his father in the insurrection of the White Boys, who was cruelly put to death by the English because he loved his country and took up arms against the intolerable oppression of its invaders. An ancestor of the author of this book, Edmund Sheehy of Clonmel, grandfather of Lady Blessington on her mother's side, was likewise judicially murdered during the same unhappy days. Whether on account of this fellowship in the martyrdom of their fathers, or from other patriotic affinities, James Sheehy, of Alexandria, Virginia, and Matthew Lyon, of Vermont, became warm friends while the latter was a member of Congress at Washington in the year 1803. James Sheehy was the son of the above Edmund, and a nephew of Father Nicholas Sheehy, who in the year 1766 was horribly butchered by the English, beheaded and quartered, because he would not reveal the secrets of the confessional to his accusers. James left Ireland and became a wealthy importing merchant at Alexandria, Virginia.\* His own son Edmund was my maternal

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\*Madden's Life of the Countess of Blessington, I, 16.

grandfather, who told me in my childhood of Matthew Lyon, and of that gentleman's visits to his father's house. Thus began my interest in the subject of this biography.

Colonel Lyon was twice married. His first wife was a niece of Ethan Allen, the hero of Ticonderoga; his second a daughter of Thomas Chittenden, the first and most celebrated of the Governors of Vermont. Lyon founded the town of Fair Haven in that State, a seat of thriving industry; and afterwards the town of Eddyville on Cumberland river, Kentucky. He represented Vermont and Kentucky in Congress, and was elected in his old age second delegate to Congress from the Territory of Arkansas, although he did not live to take his seat.

Rudyard Kipling has paraphrased, in one of his stories, a favorite expression of Colonel Lyon, "By the bulls that redeemed me," into "By the bull that bought me," an imprecation employed by Lyon to signify his pride instead of shame in the circumstance that he was once bought by a Connecticut Yankee for a pair of two-year-old stags. He came to America as a redemptioner, and in the scarcity of money the bulls became a part of the consideration for his services. From this humble beginning he rose to an honorable station in society, and cast the momentous vote in Congress which made Jefferson President of the United States. John Adams procured the passage of the alien and sedition laws chiefly to get rid of Lyon, who was tried, convicted and sentenced to four months' imprisonment, and to pay a fine of one thousand dollars under the odious sedition act. But Lyon proved stronger in his cell, like another Hampden, than Adams in the Presidential office. The people of Vermont re-elected him to Congress while he



J. FAIRFAX McLAUGHLIN



was incarcerated, and he came out of his prison door for a triumphal progress to the seat of government, attended by a multitude larger than was ever before brought together in the Green Mountain State; "the train," says Robinson in his "Vermont," recently issued in Scudder's series of "American Commonwealths," "extending a distance of twelve miles. With half as many," felicitously adds Mr. Robinson, "he might boast of a greater following than had passed up the Indian Road under any leader since the bloody days of border warfare, when Waubanakee chief or Canadian partisan led their marauding horde along the noble river."<sup>a</sup>

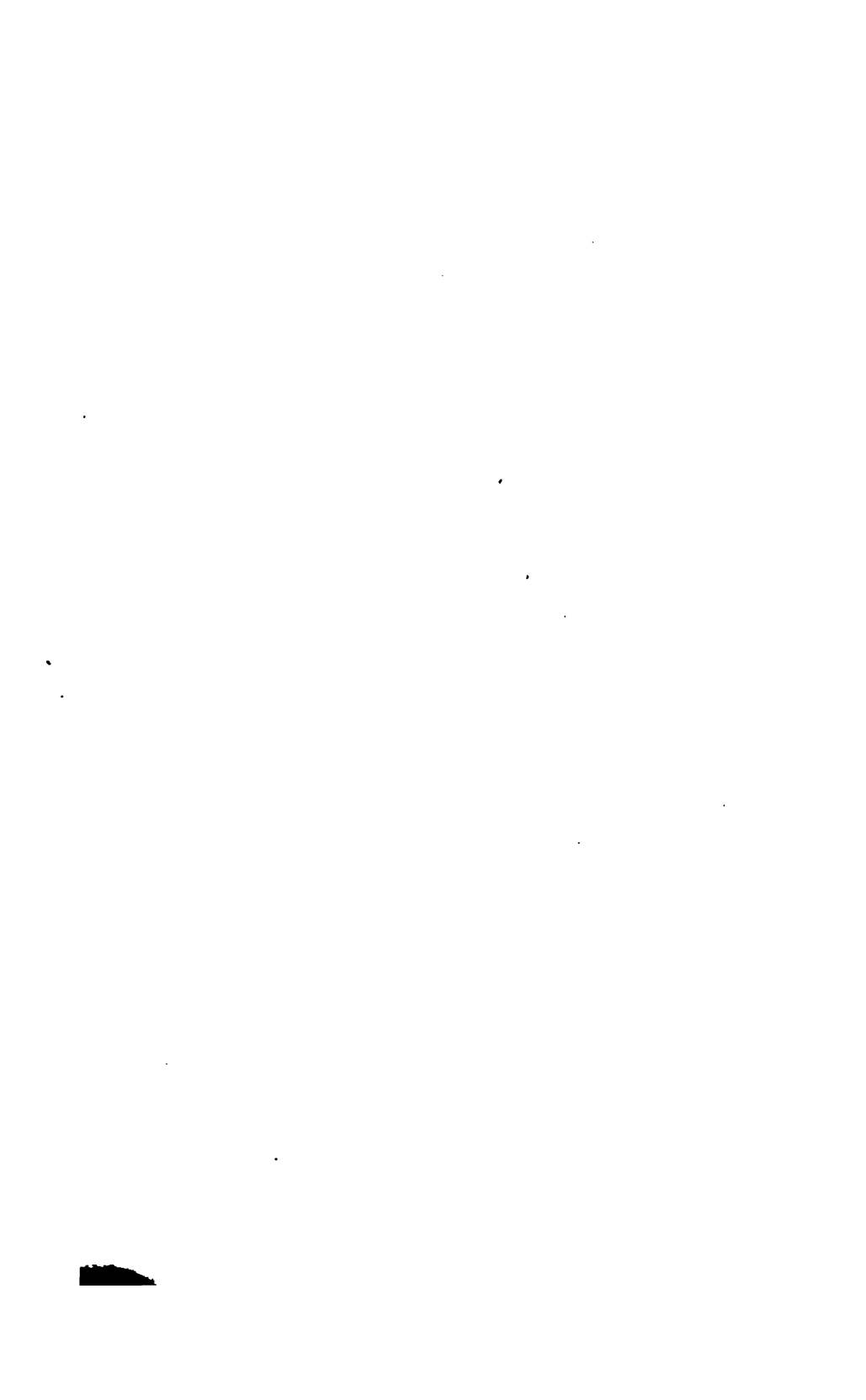
Such was Matthew Lyon, "loved," says the distinguished publicist, Francis Wharton, "as a neighbor, for he was full of that chivalrous spirit of generosity which is not a strange inmate of an Irish heart; and valued as a friend, for upon that warm temperament had been grafted the fertility of expedients belonging to the American pioneer."<sup>b</sup>

J. F. McL.

NEW YORK, *March 15, 1900.*

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<sup>a</sup> Rowland E. Robinson's "Vermont," p. 262.  
"State Trials of the United States," p. 344.



# MATTHEW LYON

## THE HAMPDEN OF CONGRESS

### A BIOGRAPHY

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## CHAPTER I

HIS BIRTH AND CHILDHOOD IN WICKLOW — THE GOLDEN BELT OF IRELAND — PASSES HIS BOYHOOD IN DUBLIN WHEN BURKE, GRATTAN AND SHERIDAN FIGURED THERE—CHARLES LUCAS HIS MODEL — SETS OUT FOR AMERICA.

**M**ATTHEW LYON, the Irish-American Hampden, victim and destroyer of the first great conspiracy against the liberties of the United States, known as the Alien and Sedition laws, was born in County Wicklow, the Switzerland of Ireland, July 14, 1750.

This beautiful county adjoins Dublin on the south, and is celebrated for its mountain scenery, the once magnificent forest of Shillalah, and a landscape of surpassing loveliness. Numerous villas and spreading demesnes adorn that romantic region within its borders known as the Golden Belt. "Were I asked," says Sir Jonah Barrington in his description of Wicklow, "to exemplify my ideas of rural, animated, cheering landscape, I should say, My friend, travel, visit that narrow region which we call the Golden Belt of Ireland."<sup>a</sup>

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<sup>a</sup>"Personal Sketches of My Own Times."

The scenery of Wicklow has furnished a glowing theme for tourists, and a favorite subject for painters and etchers. From Spenser in the Elizabethan age, to Tom Moore and Aubrey De Vere in our own, poets have celebrated the scenery of the county in song and pictured page. Grandeur and beauty meet the eye on every side, from towering Lugnaquilla to the wild fastnesses of Glenmalure; from the Round Tower and Saint Kevin's Rock to the romantic Dargle and its Lover's Leap. Here is the sublime Cascade of Powerscourt; there the Glen of the Downs and mystic Luggela.

Yon bosky dell is none other than Sweet Vale of Avoca, where "the bright waters meet." At Shelton Abbey in the Vale of Arklow slept James the Second after his inglorious flight from the Boyne.<sup>a</sup> And further on amidst the enchanting scenery of Wicklow is historic Tinehinch, home of the Irish Demosthenes, Henry Grattan. Out of the wild Wicklow passes to clasp to his heart once more his betrothed Sarah Curran, ere he should quit his native land forever, came Robert Emmet to his melancholy fate. In this celebrated county was born Matthew Lyon, the future American statesman, whose life scarcely less adventurous than that of a hero of romance will form the subject of the following pages. His early boyhood was passed in Dublin.

Stronghold of the English power, Dublin has ever been the focus of British influence in Ireland. It is a remark of scholars that in no other place in the Empire is the English language spoken with greater purity than at Dublin. Constant intercourse between the people of Wicklow and those of the city has made an impression on Wicklow manners. The

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<sup>a</sup> Lodge's "Peerage"; and Knight's "Guide to Wicklow," p. 82.



peculiarity of speech, called the brogue, is less observable in this county than in any other throughout the Island.<sup>a</sup> The picturesque costume of the ancient clans has been replaced likewise by modern English dress. But with these exceptions, old customs remain unchanged, and no part of Ireland is more strongly marked by the national characteristics than Wicklow.

In spite of the proximity of Dublin, Wicklow was one of the last districts of Leinster that was conquered by the English invaders. For centuries the present county formed part of County Wexford, from which it was separated and made shire ground in the time of Queen Elizabeth; but it was not until 1605, during the reign of James the First, as we learn from the *Hibernia Dominicana*, that it was raised to the dignity of a county.<sup>b</sup> The clans of the O'Tooles, O'Byrnes, O'Kavanaghs, and Walshes, the aboriginal chieftains of Wicklow, hung like a black cloud over the neck of Dublin,<sup>c</sup> giving and taking blows, and when overwhelmed by numbers retreated to their strongholds in the mountains, where for centuries they successfully defied the English power. The bitter strains in which the early English historians rail against them prove how well the men of Wicklow held their own against the inroads of the Saxons. Abuse, cheap resource of baffled enemies, is the only language they employ in their accounts of these sturdy mountaineers. Even Spenser, the Rubens of English poetry, disfigures the pages of his learned work, "A View of the State

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<sup>a</sup> Knight's "Guide to Wicklow," Introductory Chapter, p. 8.

<sup>b</sup> "Wickloe patrum memoria 1605 comitatus jus induit Equite Arth. Chichester pro-rege." *Hibernia Dominicana*.

<sup>c</sup> Spenser's "View of the State of Ireland."

of Ireland," by coarse invective against the wild Irish septs of Wicklow. The truth is, these septs were a brave race struggling for their own and their country's liberty.

Quintilian somewhere says that genius is the heritage of mountainous lands, for people there are always free. From his mountain progenitors Lyon inherited invincible courage, the Celtic love of fun and adventure, and a self-reliance that failed him not in the most trying hours of his checkered life. From time immemorial Wicklow rejoiced greatly in the peculiar Irish institution of fairs. Young Lyon probably attended some of them, and mingled in the throngs of drovers and frieze-dealers, of peddlers and pipers, among the cattle and pigs, when gentry and peasantry, tithe-proctors and tithe payers, seneschals and rapparees, coming together in a body and forgetting their differences, made the market towns of Wicklow ring with jollity. Wakes and dances were among the most popular customs of the people, the ceremony of keeping the dead company during the night with wassail and song and ululations being strictly observed; while persons of all ages assembled at the dances, when the young trod measures to the music of the bagpipes, and the old, after the manner of Asiatics, recounted ancient legends which had been handed down for centuries, perhaps without the loss or gain of a single sentence.\*

The "retrospective imagination," remarked upon by Mr. Lecky, that distinguishes the Irish above all other races, had full play in Lyon's native county. Every stranger was told wonderful stories of the Phooça, the phantom steed, which had been ridden, so ran the tale, by Strongbow and after by Old

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\* Sir Jonah Barrington's "Sketches of My Own Times."

Noll, when they came into Ireland on mischief bent. Breathing fire from his nostrils the Phoooca still was wont on stormy nights to dash down mountain cataracts, and sometimes to serve tricks on belated travelers, such as poor little Tommy Cuttings, a tailor of Ballymore Eustace, whom he overtook one dark night and bore away over the mountains into a furious succession of Tam O'Shanter adventures.\* Tommy's phantom gallop ever after furnished a winter evening's tale along the whole countryside from Dublin to the Meeting of the Waters. But of all the legends of Wicklow that of Saint Kevin and the Lady is the most popular. According to one tradition, quaintly preserved in an ancient Wicklow song, the Lady was no other than an old hag or witch whose persecutions drove the Saint from picturesque Luggela, the spot originally chosen for the erection of his celebrated Seven Churches, Ireland's mystical number. But according to another tradition, adopted for purposes of poetry by Tom Moore, she was the beautiful Kathleen who followed the Saint to his lonely retreat at Glendalough only to be hurled from the beetling rock to a watery grave:

"By that Lake whose gloomy shore  
Skylark never warbles o'er."

On his visit here in 1825, Sir Walter Scott described the Seven Churches of Glendalough, of which the See of Dublin was once only a suffragan, as "the inexpressibly singular scene of Irish antiquities."<sup>a</sup>

In Matthew Lyon's childhood, the Irish peasantry though almost cured of their love of the Stuarts, as the Young Preten-

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\*Mr. and Mrs. Hall's "Scenery of Ireland," article Wicklow.

der had found to his cost in 1746, were nevertheless far from being reconciled to the House of Hanover. Father O'Leary and Bishop Berkeley had kept them away from Culloden whither their hearts inclined them, but the broken treaty of Limerick had annihilated forever all lingering Irish affection for the Kings and government of England, and affords to statesmen and rulers of men everywhere an impressive example of what Burke finely calls "the ill-husbandry of injustice." While the vice-regal party in Dublin strove to keep alive loyal recollections of King William by quaffing off bumpers to "the glorious, pious and immortal memory of William the Dutchman," the men of Wicklow answered the Castle toast by drinking to "the memory of the Chestnut Horse" that broke the neck of the same William of Orange, and refilling many a measure of Drogheda usquebaugh in honor of the avenging steed.\* They had not forgotten William's speech on the Irish woolen trade, to say nothing of the battle of the Boyne.

The manners, customs, and highly imaginative legends of Lyon's native county exercised an influence in the formation of his character, and to some extent afford a key to the numerous romantic episodes in his after life.

Of the lives of his parents but few particulars are remembered. His father's calling is not known, but if he was in the insurrection of the evicted cottiers called White Boys, as there is some reason to believe, it is probable his occupation was that of a small farmer. He must have possessed some means, as he placed his son at school in Dublin, and afforded him opportunity of acquiring a fair English education, and a little knowledge of Latin and Greek. The last surviving daughter

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\*Barrington's "Sketches of My Own Times."

of Matthew Lyon, the late venerable Mrs. Eliza A. Roe, of Illinois, was of opinion that her father's parents were wealthy. During Matthew's childhood a famine occurred in Ireland, and widespread destitution prevailed among the people, calamities vividly narrated by Matthew O'Connor and other Irish historians of that period. The fact that the father was able in those trying times to provide means to educate his son at a distance from home is evidence that he was at least in easy circumstances. It is the custom in Ireland to place children at school at a very early age. Swift was sent when he was six years old. Lyon must have been very young, for all accounts agree that his father died while he was a small boy, and that his school days ended when he was in his thirteenth year. In Collins's History of Kentucky, where Colonel Lyon passed his latter years, a sketch of his life is given. After speaking of him as "the most remarkable character in southwestern Kentucky," the historian refers to his parentage and says: "His father, while Matthew was a small boy, engaged in a conspiracy against the British Crown, for which he was tried, condemned and executed. His widow soon married; and Matthew, at the age of nineteen, fled from the cruelty of a step-father to America."<sup>a</sup>

But Matthew's age at the time of his emigration is not correctly stated by Mr. Collins. At thirteen, after leaving school, he was placed in a Dublin printing office, or newspaper office, to learn the trades of printer and book-binder. He worked here about two years. If the father suffered capital punishment, the early days of his sensitive, high-strung son were no doubt embittered, and this tragedy, reported by so respectable

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<sup>a</sup>Collins's "History of Kentucky," Vol. II, p. 491.

an authority as Collins, the Kentucky historian, who may have learned of it directly or through others from Colonel Lyon himself, deserves more than passing reference in a memoir of the son's life. If the elder Lyon was put to death for White Boyism, as were so many of his innocent countrymen, a sad motive for the early exile of his son may be found in that tragedy. During the eighteenth century confiscation in Ireland usually went hand in hand with the doom of death. Upon the execution of the father, his family probably at the same time was reduced to poverty.

About the middle of the eighteenth century several insurrections occurred in various parts of Ireland. It is the opinion of some writers, as said above, that the elder Lyon was a Wicklow farmer. If so, the uprising of the White Boys was the one, if any, in which he probably took part. Insurrections among the manufacturing classes of the North of Ireland were frequent about that time, as they had been in the earlier part of the century.

The chief commercial dependence of the country, if not the sole one, was the woolen trade. By an act of the British Parliament, passed in 1699, and described by the impartial historian Lecky as one of "crushing and unprecedented severity," the export of the Irish woolen manufactures, not only to England but to all other countries, was absolutely prohibited. "The effects of this measure," says Lecky, "were terrible, almost beyond conception. The main industry of the country was at a blow completely and irretrievably annihilated. A vast population was thrown into a condition of utter destitution."<sup>a</sup>

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<sup>a</sup> Lecky's "Leaders of Irish Opinion."

Skilled labor fled the country in despair, for its main interest was swept away, and it found a more congenial field for its enterprise in Germany, France and Spain. The western and southern districts of Ireland were almost depopulated, and emigration to America, the present United States, which with occasional interruptions has continued in an ever-increasing stream from that day to the present, then for the first time was systematically begun. The Irish of Ulster came over in 1728, and their posterity are to be found chiefly in Pennsylvania and in the Southern States—in Virginia, West Virginia and Kentucky, and as far down as the Carolinas and Georgia. They now call them Scotch-Irish, but why Scotch is not clear. Their progenitors came from the province of Ulster, Ireland, and were described as Irishmen, not Scotch-Irishmen, by the historians of their own age. In the accounts written by themselves which have been preserved they are described simply as Irishmen, without any Scotch, English or other prefix or compound. The new-fangled name, propitiatory coinage of a later day, had not then been invented. They had no apologies to offer for being Irishmen. The poet's burning imprecation, beginning with the words, "Lives there a man with soul so dead," never could be applied to them. Of this stock were Andrew Jackson, John C. Calhoun and Stonewall Jackson. In the appended letter Mr. Calhoun described himself and his father. Recent writers may take a useful hint from this letter, never hitherto published, and in which the distinguished writer, it will be observed, describes his father, not as many others who have written about him have done by employing the mixed race words Scotch-Irish, but simply and truly as an Irish emigrant.

Letter of John C. Calhoun upon becoming a member of the Irish Emigrant Society of New York:

"SENATE CHAMBER,

"Washington, D. C.,

"13th September, 1841.

"Dear Sir.—I have been so much engaged in the discharge of my public duties that I have been compelled to neglect almost everything else for the past few weeks, which I hope will be a sufficient apology for not answering at an earlier date your letter of 13th August.

"I have ever taken pride in my Irish descent. My father, Patrick Calhoun, was a native of Donegal county. His father emigrated when he was a child. As a son of an emigrant I cheerfully join your Society. Its object does honor to its founders. I enclose five dollars which the Society will please regard as my annual subscription for the next five years.

With great respect,

"Yours, etc.,

"JOHN C. CALHOUN.

"To the Secretary Irish Emigrant Society."

If Mr. Calhoun always took pride in his Irish descent, General Jackson was not behind him in devotion to the Celtic race. When he was President nearly all his personal attendants were natives of Ireland, and he would reason with them, and advise and exhort them as though they were members of his own family. In his "Irish Settlers in America" (p. 119) the brilliant Thomas D'Arcy McGee relates the following anecdotes of Jackson's partiality for persons of his own race: "Many instances of his thoughtfulness in this regard have been related to us by living witnesses of the facts. We have perused a most kind and characteristic letter from the General to Mr. Maher, the public gardener at Washington, on the death of his children. It is conceived in the most fraternal and cordial spirit of sympathy. Jackson's man-servant, Jemmy



O'Neil, alas! no more, was once in the circle of our acquaintance. Before the days of Father Mathew, poor Jemmy was given to sacrifice too freely to Bacchus, and on those occasions assumed rather a troublesome control over all visitors and dwellers in the White House. After many complaints, Jackson decided to dismiss him, and sent for him accordingly.

Jackson—Jemmy, you and I must part.

Jemmy—Why so, General?

Jackson—Every one complains of you.

Jemmy—And do you believe them, General?

Jackson—Of course, what every one says must be true.

Jemmy—Well now, General, I've heard twice as much said against you, and I never would believe a word of it. (Exit Jackson.)"

Chronic famine in a land of plenty was the outcome of England's inhuman policy in Ireland. Absentee landlords achieved the rest. Rack-rents and tithes drained the people of their life-blood. At that time the Irish peasantry drew their subsistence wholly from tillage. But in 1761 the cattle disease, breaking out in Holstein and spreading to Holland, soon made its appearance in England. It proved extremely fatal to horned cattle. The price of beef, butter and cheese rose enormously. The cupidity of speculators was aroused. Ireland with its impoverished tenantry offered an alluring field for their greed. Alien speculators pointed out to the Irish landlords the depression in all agricultural pursuits except those connected with cattle raising. These speculators urged the landlords to dispossess the tenants summarily. Being merely tenants at will, immediate eviction was practicable. The landlord class arrayed itself solidly against the peasantry, and an

agricultural revolution followed. The cottiers were ruthlessly driven out, tillage was abandoned, and the land in immense tracts leased to wealthy monopolists for grazing purposes. These "land pirates," as they were called by the evicted cottiers, required few hands to feed their cattle. Their pay-rolls were consequently small, and they could well afford to bribe the landlords with larger rents than the peasants were able to pay, and ejection of the small farmers became almost universal. The starving peasants finally sought shelter in the towns, begging their bread from door to door when no longer permitted to earn it. "The only piteous resource of the affluent," says Plowden in his *History of Ireland*, "was to ship off as many as would emigrate to seek maintenance or death in foreign climes." Dean Swift's sarcasm about cultivating cattle by banishing men was being terribly fulfilled.

But while Plowden ascribes the emigration of 1762, and the years immediately following, to the bounty of the "affluent," Matthew O'Connor, who lived at that period, and ranks high as a historian, does not so state it. "No resource," says this careful writer, "remained to the peasantry but emigration. The few who had means sought an asylum in the American plantations; such as remained were allowed generally an acre of ground for the support of their families, and commonage for a cow, but at rents the most exorbitant." And thus the second exodus to America, this time not from Ulster, but from Connaught, Leinster, and Munster, began in 1762 and continued for some years. In this wave came Matthew Lyon to seek his fortunes in the New World.

Having brought their victims to despair the landlords and graziers attempted to shift the blame to others, and to excite

religious animosities between Catholics and Protestants. The tithe proctors of the church establishment, always inexorable in the exaction of tribute, afforded a ready scape-goat. The nick-name of "tithe-mongers" was invented for them by the real authors of Irish misery, whose benevolent rapacity would not admit of partnership in the work of spoliation. And so the landlords inveighed against the tithe-mongers until agrarian violence on the part of the White Boys occurred, when the crafty instigators of these riots called upon government to suppress an insurrection caused by their own inhumanity and greed. It is true that the White Boys were recruited largely from the ranks of the Catholics, because the peasants were almost universally Catholics; but it is equally true that the contemporaneous revolts in Ulster of the Peep-of-Day Boys, the Oak Boys, and the Hearts of Steel Boys were composed mainly of Protestants. Neither religion nor politics had anything to do with these outbreaks. Both Catholics and Protestants were starved into insurrection, the former by the rapacity of landlords and graziers, and the latter by the infamous non-exportation act of King William's Parliament in 1699. The government appointed a commission of eminent men in 1762 to inquire into the causes and circumstances of the revolt of the White Boys. Its members were distinguished for zeal as Protestants and ability as lawyers. In their report they said: "That the authors of these riots consisted indiscriminately of persons of different persuasions, and that no marks of disaffection to his Majesty's person or government appeared in any of these people."<sup>a</sup> The truth of this report was attested by the

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<sup>a</sup>Plowden's "History of Ireland," Vol. II, p. 138.

judges of the Munster Circuit, and by the Lord-Chief-Justice of the Common Pleas, the upright Sir Richard Aston.<sup>a</sup>

But the mailed hand was uplifted, and the innocent not less than the guilty were made to feel its vengeance. Numbers of the best people in Ireland were accused and tried on a charge of White-Boyism, and judicially murdered upon the suborned testimony of spies and informers.<sup>b</sup>

It is not at all improbable that the father of Matthew Lyon lost both his estate and life during the uprising of the White Boys which followed the wholesale eviction of the peasantry from their farms. But in the estimation of those conversant in the Irish State Trials of the blood-stained eighteenth century, such a death will not militate against the character of the elder Lyon, but rather strengthen the opinion that he was a worthy and brave man who perished at the hands of those who could not subdue him to their purposes.

Mr. Collins, it will be observed, states that Matthew Lyon's mother was twice married. Matthew often spoke of her in after years with tender affection, and of the tears he shed at leaving her. He once alluded to her in a speech in Congress. "He had no pretensions," he said, "to high blood, though he thought he had as good blood as any of them, as he was born of a fine, hale, healthy woman."<sup>c</sup> If his mother married again, and was still living when her son had become a prosperous man in Vermont, her second marriage would explain her continued residence in Ireland. The handsome conduct of Matthew afterwards in the case of five of the children of his

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<sup>a</sup> *Ibid*, "History of Ireland," Vol. II, p. 139.

<sup>b</sup> *Ibid*, "History of Ireland," Vol. II, p. 140.

<sup>c</sup> *Annals of Congress*, 1797.


deceased sister, Mrs. Edwards, is evidence enough of what he would have done for his mother had she needed his assistance, or been free to join him in America. She remained in Ireland, but Matthew always remembered and spoke of his mother with reverence and affection. His sister lived in Dublin and was the wife of a Mr. Edwards, captain of an Irish merchantman. Of this marriage there were said to be as many as twenty children.<sup>a</sup> Captain Edwards finally lost his life by shipwreck, and left his family destitute. His widow did not long survive him. "My aunt died broken hearted," said Mrs. Roe, in a letter to the writer of this memoir containing some recollections of her father's family. After his removal to Kentucky, and while he was a representative at Washington from that State, Matthew Lyon sent to Ireland for the five youngest children of this deceased sister, two sons and three daughters, and received them with open arms into his American home. The care and affection he bestowed on his own children were extended by the generous and warm-hearted uncle to the newcomers. "They made their home at my father's," says Mrs. Roe, "until they were men and women. The two youngest were married at my father's, and he did well by them."<sup>a</sup>

Whether in consequence of his father's reported execution, his mother's second marriage, or the poverty of the family, we have seen that young Matthew was taken from school and put in a Dublin printing office at the age of thirteen. Here he learned the trades of printer and book-binder, which afterwards proved of great advantage to him in America. Many distinguished men have begun their careers at the printing case. But it is a misfortune for a promising boy to be cut off at that

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<sup>a</sup> Mrs. Roe's letter to author.

age from academic training. He may have mastered arithmetic and grammar rules, and obtained a smattering of algebra and the classics, but the flavor of learning does not come at thirteen, nor, except rarely, correct taste and scholarly discipline. No matter how propitious his subsequent career may prove, without early education a man of great natural endowments is like Hercules without his club. His best efforts will be disfigured more or less by the early defect. Still there are qualifications to the rule, for it is the part of pedantry to lean to the side of names and forms, and forget reality and substance. The greatest leaders, such as Marlborough and Washington and Jackson, have not been grammarians and rhetoricians. Matthew Lyon obtained an academic foundation in a city famous for its scholars, and pre-eminent as a literary and intellectual center; but he had no more. For the rest he was entirely a self-educated man. His exploits in after life prove that he caught the spirit of his early surroundings. Had he received a liberal education, his fine properties of mind might have carried him into the highest walks of literature and statesmanship, together with several other young Dubliners, Burke, Sheridan and Grattan among the number, who were his youthful contemporaries, and peradventure daily jostled him in the streets in passing and repassing with him to their several pursuits. It is quite possible that some of these ingenious youths may have been his playmates or friends. A very Brundisium for its constellation of wits was Dublin at that day. Young Edmund Burke was already at man's estate, and an attaché in the official family of the Lord-Lieutenant. But Grattan was only four years the senior of Lyon, and Sheridan was one year his junior.



Burke went to England to take his place as the greatest master of the English language since Shakespeare. Sheridan soon followed, and made the wonderful speech for down-trodden humanity in India, when, according to Byron, "vanquished Senates trembled as they praised." Burke declared of this speech of Sheridan that it was "the most astonishing effort of eloquence, argument and wit united of which there was any record or tradition." Grattan, the Irish Demosthenes, remained behind to woo back freedom to his beloved Ireland for a bright, brief era, and to come forth at length from Tinehinch, his romantic seat in Wicklow, and proclaim a Bill of Rights from College Green in the presence of a hundred thousand Irish soldiers, upon whose guns were inscribed these eloquent words—"Free Trade or This." Matthew Lyon crossed the seas to hold the balance of power between the Puritans and Cavaliers of America in the most momentous civic contest of the nineteenth century, the presidential election of 1801, the great formative era, and by his vote in the House of Representatives to decide it in favor of Thomas Jefferson.

Young as he was when he left his native land, the main-springs of his character are to be sought for there. The tyranny which he loathed, for a father was probably its victim, and the efforts of his countrymen to break it, which he must have witnessed, should be kept distinctly in view by the historical student in tracing the growth of his mind, and the development of his almost fanatical democratic spirit. He was born in the middle of the eighteenth century, the blackest hour of Ireland's multiplied centuries of the penal laws. But principles had been enunciated by Molyneux, seed sown by Swift, arguments urged by O'Leary, the Irish Chrysostom,

and events were then transpiring directed by the fiery energy of Dr. Charles Lucas, which were to make the blackest hour the precursor of dawn. The revolution of 1688 had given liberty to Englishmen, yet it was but a niggardly liberty after all, for it had found Irishmen in chains, and it had pinned them down in a Gibeonite bondage, even worse than Ireland, the martyr nation of the world, had yet endured in its whole history.

The Plantagenets and Tudors confiscated the estates of the Irish nobility, but the haughty Saxon and Anglo-Norman barons having plundered the Celtic princes and chieftains, and exiled such of them as were not killed in battle, were content to stop there, and disdained to make war on the common people, the great body of the Irish race. They settled down in Ireland, and the laboring classes were not seriously disturbed. For the Irish people it was a change of masters. Clanship was uprooted, and feudalism to a certain extent introduced. True, before these changes could be effected, everything was carried by the sword, or when that proved unavailing against the obstinate valor of the Irish, the stranger's object was attained by treachery and corrupt appliances. The blood of some of the best men that ever adorned the history of Ireland was shed, martyrs in the highest sense; but it was the blood of nobility and clergy, the flower of the flock but not the flock itself, the great and not the many, that fell in the fierce onslaught of the Saxons.

The Stuart dynasty, for which the Irish people felt so strange an infatuation, heroic in its devotion, but always basely required, entailed upon Ireland infinitely more mischief than Plantagenets and Lancasters and Tudors combined. A swarm



of thrifty Scotchmen followed James the First into England, but the English place-hunters were more than a match for them, and the callous James, who had allowed his royal mother to perish on the block without lifting a finger to save her, in order now to provide for his countrymen, sent them into Ireland to fatten there on the miseries of the people. Upon the humble homes of the poor, and not upon the possessions of the upper classes, the Scotch adventurers fixed hungry eyes, thus reversing the example of the earlier and prouder invaders. To promote the schemes of his countrymen in Ireland, James the First invented the notorious plan for universal plunder, known as the "Commission for the investigation of defective titles." Under the Irish clan system there were no title-deeds to real estate. The Irish families held their lands by prescription or immemorial possession. The Irish had held these lands for centuries. Hence when James the First required them on pain of forfeiture to produce title-deeds, which he well knew they did not possess, he had invented the most tremendous engine of confiscation ever heard of in the civilized world. The people saw with horror the abyss into which their inheritance was about to be engulfed. The first commission of James reported three hundred and eighty-five thousand acres in Leinster alone as "discovered;" that is to say, in the judgment of the commission the "titles were not such as ought to stand in the way of his Majesty's designs."<sup>a</sup>

Under Charles the First, the remorseless Strafford carried to still greater excess this monstrous scheme of spoliation; and it reached its utmost limits in the hands of Cromwell's parlia-

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<sup>a</sup> Thebaud's "Irish Race, Past and Present."

mentary commissioners. But to do Cromwell justice, he did not contrive this engine of confiscation, but found it ready to his hand as it had been left by the Stuarts. The effects of Cromwell's policy in Ireland have been well summed up in a single sentence by Villemain in his "*Histoire de Cromwell*:" "Ireland became a desert which the few remaining inhabitants described by the mournful saying: 'There was not water enough to drown a man, not wood enough to hang him, not earth enough to bury him.'" Four-fifths of the Irish nation were deprived of their property by Cromwell because of their invincible loyalty to Charles the First, whose head he had cut off; and incredible as it may appear, the son of Charles the First ratified that spoliation of his father's faithful subjects by the troops of his father's executioner.

But it remained for William of Orange and Queen Anne and the three first Georges to add a new calamity to all those that had preceded it, for during their reigns the spectacle was presented, as it has been often since, of a whole people starving to death in the midst of plenty, and in time of profound peace. The eighteenth was by bad eminence the century of the penal laws. After the treaty of Limerick had been broken, the Irish Parliament devised every conceivable scheme of persecution, outrage, and oppression against the great body of the Irish people. Religious fanaticism was rampant. The English Parliament hating Irish Protestants and Irish Catholics impartially, passed laws which utterly crushed the trade of Ireland. Thereafter began those periodical famines which still continue to visit that unhappy country.

The Irish Parliament in Matthew Lyon's childhood was seething in corruption, and did not in any sense represent the

people. Of its three hundred members, two hundred and sixteen were what were called nomination or rotten-borough members, and the Catholics, who composed the vast majority of the whole population, were excluded from representation both directly and indirectly, without seats and without votes,\* nevertheless through this polluted channel the first signs of life began to enter, the first manifestations of an independent spirit began now to be discerned. Against the degradation of the Parliament of Ireland, and its abject subservience under Poyning's Law to the English Parliament, one great voice had been lifted up. Molyneux, of Trinity College, Dublin, the friend of Locke, and a man of profound learning, had published so long before as 1698 his celebrated work "The Case of Ireland," in which, by an exhaustive and unanswerable appeal to history, he proved that the Parliament of Ireland had naturally and anciently all the prerogatives in Ireland which the English Parliament possessed in England. But at the time he wrote public spirit was dead, and the heart of the nation was well nigh broken by oppression. The English government ordered his book to be burned by the common hangman, and the effect of that noble utterance for the time being was lost on Ireland. But not forever.

Dean Swift, with consummate skill, took up the argument a few years after, and proclaimed his absolute faith in the doctrines of Molyneux, and his allegiance, not to the King of England, but to the King of Ireland. By his celebrated Drapier's Letters the incomparable Dean of St. Patrick's revived the spirit of nationality throughout the length and

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\* Lecky's "Leaders of Irish Opinion."

breadth of Ireland. In describing the effect of Swift's *Drapier's Letters*, the eloquent Lecky exclaims, "There is no more momentous epoch in the history of a nation than that in which the voice of the people has first spoken, and spoken with success. It marks the transition from an age of semi-barbarism to an age of civilization, from the government of force to the government of opinion. Before this time rebellion was the natural issue of every patriotic effort in Ireland. Since then rebellion has been an anachronism and a mistake. The age of Desmond and O'Neil had passed. The age of Grattan and O'Connell had begun."<sup>a</sup>

But Swift's death in 1747 left Ireland without a leader. The national spirit he had aroused and the public opinion he had created were on the point of extinguishment, when the patriot, Charles Lucas, appeared in the Irish Parliament, and not only rallied the people once more, but directed their energies into political channels. Lucas was the first member of the Irish Parliament during the eighteenth century who boldly grounded himself on Molyneux and Swift, and adopted the policy of agitation as a substitute for force. The many-voiced free press, educator for good or evil, the Archimedean lever of modern society, was first introduced in the Irish capital by Lucas, who founded the celebrated newspaper, the "*Dublin Freeman's Journal*," in which he rallied the drooping energies of his countrymen, and organized the lines of battle which Grattan and the Volunteers afterwards so magnificently waged in 1782. In addition to a courage never surpassed, this Irish patriot possessed that wonderful power of electrifying the hearts of the people which within a few years after was to display itself so

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<sup>a</sup> Lecky's "*Leaders of Irish Opinion*."

marvellously in America in the persons of Patrick Henry and James Otis.

It was during Matthew Lyon's boyhood that Charles Lucas figured in Dublin. In those early days in the art of printing, when only the hand press was in use, the printer who set the type also folded papers, and it was thus that Lyon learned the business of bookbinding in conjunction with typesetting. In the present age the steam-press has driven the bindery out of the printing office and made it a separate trade. It is possible that Lyon was employed by Lucas and learned to set type, fold papers and bind books in the office of the "Freeman's Journal." Certainly there are enough points of resemblance in the careers of the two men to justify the opinion that Matthew Lyon selected his countryman, Charles Lucas, as a model. They both lived in Dublin at the same time, perhaps were in the same office, and certainly were in the same business. Lucas was the idol of the people. Even the Catholics, whose religion he opposed, regarded him as another Swift, and as in the case of Swift, forgot his prejudices against their faith in admiration of his shining patriotism. Lucas delighted to bring forward clever Irish youths. The style of the "Freeman's Journal" was intensely democratic, and its leaders, and notably its essays called "Barratariana," were hurled with fiery invective against the Vice-Regal government and the Castle or aristocratic party. When Lyon embarked in politics in Vermont he established, in spite of almost incredible obstacles, the "Farmer's Library," a newspaper which he modeled on the style of the Dublin "Freeman's Journal." And afterwards, when a candidate for Congress, in 1798, he began the publication of a semi-monthly magazine whose name sufficiently denoted its

democratic character,—“The Scourge of Aristocracy.” The Irish Parliament of George the Second, against whose continuance without a return to the people for a new election Lucas struggled so hard, endured without prorogation during no less than thirty-three years. Lucas denounced its corruptions, and the slavishness to the Castle of its members so pointedly and so personally that the grand jury of Dublin, a packed body, ordered his addresses to be burned, and the Parliament in 1749, under orders from the Castle, proclaimed him an enemy to his country, and issued an order for his arrest. When Matthew Lyon took his seat in the Congress of the United States his first speech was a vigorous denunciation of the courtly processions through the streets of Philadelphia on the part of members of Congress to submit their answer to the President’s speech. He denounced the custom as a slavish aping of the manners of royalty, undemocratic and un-American. Lyon was the first, indeed the only man at that day to lift his voice against these Congressional street pageants of the Federalists. Afterwards Jefferson, when he became President, sternly discountenanced the ceremony, and it was abolished. Lyon’s boldness and defiance of power, constantly encroaching upon the rights of the people, excited the alarm and enmity of the friends of the President in Congress, who denounced him as an enemy of the country. When Lyon, in a temperate but fearless letter, exposed the abuses of the executive office, an order for his arrest was issued by virtue of an act of Congress, precisely as an order for the arrest of Dr. Lucas had been issued before by virtue of an act of Parliament. Both Lucas and Lyon were enthusiastic admirers of Dr. Franklin. Lyon placed his son James at Philadelphia under the special charge

and direction of the illustrious philosopher. In 1771 Franklin made the tour of Ireland, and during his sojourn in Dublin resided at the private residence of Dr. Lucas as the guest of the Irish patriot. An interesting letter or fragment of one has been preserved which was written by Dr. Franklin to his distinguished friend Thomas Cushing, of Boston, shortly after this visit. "Before leaving Ireland," said Franklin, "I must mention that being desirous of seeing the principal patriots there, I stayed till the opening of their Parliament. I found them disposed to be friends of America, in which I endeavored to confirm them, with the expectation that our growing weight might in time be thrown in their scale, and by joining our interests with theirs, a more equitable treatment from this nation might be obtained for them as well as for us. There are many brave spirits among them. The gentry are a very sensible, polite and friendly people. Their Parliament makes a most respectable figure, with a number of very good speakers in both parties, and able men of business. And I must not omit acquainting you that, it being a standing rule to admit members of the English Parliament to sit (though they do not vote) in the House among the members, while others are only admitted into the gallery, my fellow-traveler being an English member,<sup>a</sup> was accordingly admitted as such. But I supposed I must go to the gallery, when the Speaker stood up and acquainted the House that he understood there was in town an American gentleman of (as he was pleased to say) distinguished character and merit, a member or delegate of some of the Parliaments of that country, who was desirous of being

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<sup>a</sup> Mr. Jackson, M. P.

present at the debates of the House; that there was a rule of the House for admitting members of English Parliaments, and that he supposed the House would consider the American Assemblies as English Parliaments; but as this was the first instance, he had chosen not to give any order in it without receiving their directions. On the question the House gave a loud, unanimous *Ay*, when two members came to me without the bar—"a

A biography of Dr. Franklin, one of the first ever published in America, was issued out of the printing office of Matthew Lyon at Fair Haven, Vermont, and it is probable that it was written by Colonel Lyon himself. He had perhaps been taught to love Franklin by Lucas. The parallel may be traced one step further.

Lucas was driven out of Ireland by the government or English party, but lived to come back, and so great was his popularity that he was returned by the electors of Dublin to the Irish Parliament. Lyon was driven out of New England by the John Adams or Federal party, and went to make his home in Kentucky, for, in spite of many differences of character, the Irish and the Cavaliers have always foregathered as friends. So great became his popularity, he was elected again to Congress by the people of Kentucky, as he had been by the gallant people of Vermont while a State prisoner in the Vergennes jail. "If I have seen further than others," was the remark of Sir Isaac Newton, "it was by standing on the

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<sup>a</sup> The rest of the letter is lost. Spark's "Works of Benjamin Franklin," Vol. VII, pp. 557-8. See also "Franklin's Correspondence."



shoulders of giants." When in 1797 Lyon entered a freeman's protest against the monarchical ceremony of a whole Congress packing through the streets to present a courtly address to the President, not another member of Congress stood up to sustain him. If, like Sir Isaac Newton, he saw further than others, as the event proved, it was because he had stood in his youth on the shoulders of giants—of Molyneux and Swift, of Lucas and Flood, of Burke and O'Leary. The classical school and Dublin printing-case proved of inestimable advantage to the Wicklow boy.

In his old age Matthew Lyon wrote an autobiography, which no doubt contained a full account of his parentage and early life. For some years after his death it was preserved at his homestead in Kentucky. The writer has addressed inquiries concerning this autobiography, which would prove of such value in the preparation of the present biography, to many of the descendants of Colonel Lyon, and with the utmost diligence has followed every clue that might lead to its discovery, but it is to be feared it has been unfortunately lost. His daughter, Mrs. Roe, had never heard of it. At least one person now living had read it, a grandson of Colonel Lyon, Matthew S. Lyon, of Evansville, Indiana.<sup>a</sup> In a letter to the writer, dated April 18, 1881, this gentleman said:

"My grandfather, Col. M. Lyon, left an unfinished autobiography, which by some inadvertence was very much mutilated by mice in the attic, where it had been stored away, and which

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<sup>a</sup>At the time of writing these words the author knew that Mr. Matthew S. Lyon was living. But he has since died. He is said to have been an agreeable and accomplished gentleman. His death occurred in Union County, Ky., in the year 1891.

I tried in my boyhood to make something out of, but which I gave up in despair, not being able from my personal knowledge to piece out the breaks in it. Some years later the manuscript was taken by a relative of his (Mason R. Lyon, I think) to Alabama. If I am not mistaken this Lyon was engaged in publishing a newspaper, but its name or location I am unable to give you. I think he gave up the idea of restoring it himself, as I have never heard anything of him or it since, and suppose it is long since lost or destroyed.

"Of my grandfather's history," added this gentleman, "I can give you only a few meagre facts, which perhaps are already known to you. He was born in Wicklow county, Ireland, I cannot give you the date, and came to this country at thirteen years of age. I remember that fact because connected with it he states one quite remarkable, that at that age he was a fair Latin and Greek scholar, and quite proficient in his trade, a printer and bookbinder."<sup>a</sup>

This is an important letter, and entitled to great weight, for the writer of it had seen the autobiography of his grandfather, and what he says in regard to it is in the nature of primary evidence. The mistake he makes respecting his grandfather's age when he emigrated to America is a very natural one. All the historical writers who have given an account of Matthew Lyon have fallen into the same error. Wharton in his "State Trials of the United States," Lossing, Drake, and Collins in their historical and biographical writings, Pliny White in his address before the Vermont Historical Society, Charles Lanman and Ben Perley Poore in their biographical dictionaries

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<sup>a</sup> Letter of Matthew S. Lyon to author.

of Congressmen, and the writer of the article on Matthew Lyon in "Appleton's Cyclopaedia;" all, except Collins, state that he was born in 1746, and came to this country at thirteen. Collins makes him still older, nineteen at the time of his emigration. The grandson probably had read the sketches of some of these authors, and their statements may have confused his recollection of what his grandfather himself must have written on the subject. The venerable Mrs. Roe, the last survivor of Matthew Lyon's immediate family, possessed knowledge more nearly approaching accuracy than that of the others, for she says in a letter to the author, "My father came to this country when he was fourteen years old." After a very careful investigation of every attainable authority in relation to Colonel Lyon's age, including the Colonel's own testimony on the point, the present writer is able to state his age exactly, as well as the year of his departure from Ireland for America.

Matthew Lyon was born July 14, 1750, and emigrated from Ireland in 1765, when he was in the fifteenth year of his age. If at thirteen, as stated in his autobiography, according to his grandson's recollection of it, he was a fair Latin and Greek scholar, the explanation is that this was the age when he left school, and that the business of printing and bookbinding came afterwards, between his thirteenth year, when his school-days ceased, and his fifteenth year, when he departed for America. Interesting particulars in relation to Colonel Lyon's early life lie buried away in several town and county histories of Connecticut, his first home in this country. Some of these books are now very scarce, while others are out of print and practically inaccessible. Morris's "Statistical Account, etc., of

Litchfield County," published in the early part of this century, cannot now be procured, while Woodruff's "History of the Town of Litchfield" (1845), and Kilbourne's "Biographical History of Litchfield County" (1851), are rarely to be met with, even in the libraries of Connecticut antiquarians. Yet in each of those books is contained an account of Matthew Lyon, of his youth and first days in America. It has been the author's good fortune to procure Woodruff's and Kilbourne's volumes. These, with Cothren's "History of Ancient Woodbury," and two or three other local chronicles of Connecticut, have served to supply the hitherto missing links in the first ten years of Lyon's life in America, from the time he left Dublin to his settlement in Vermont. The extraordinary care which the people of New England bestow on genealogies, and town and county histories, is worthy of all praise, and while it furnishes testimony of the reverence in which they hold their ancestors, it is evidence also of the superior literary taste which prevails in that section of the American Union. Future historians will turn to these local chronicles as mines fraught with rich materials, for the ultimate value of facts is never apparent to the casual eye, but is only developed by time and a studious comparison of the elements of history. Dates, names, marriages, funerals, creeds, education, sports, customs, apparel, and the thousand complexional habits and peculiarities of a people, whether they appear trifling or grave, important or insignificant, cannot be weighed and appreciated fully by one generation, but require many succeeding generations to bring out and make manifest their intrinsic and relative grade in the scale of great and small, of durable or transitory things. The minute and ap-

parently trivial details contained in these unpretentious books will always be a joy and well-spring of delight to the historical and critical scholars of the next age.

Thanks to these old chroniclers, the present writer has been enabled to accompany Matthew Lyon from the ship that bore the youthful emigrant to these shores, to trace his steps from New York to his first home in Connecticut, from that place to his second home in the same Colony, and thence across the Green Mountains to the Valley of Lake Champlain. The light shed upon these early events in his career in America by Connecticut writers makes lucid his own otherwise obscure and hasty statement in respect to the same period which afterwards in 1798 he uttered on the floor of Congress. In that statement Colonel Lyon declared that he had lived during the preceding twenty-four years in Vermont, and that prior to his settlement there he had lived for ten years, from his fifteenth to his twenty-fifth year, in the colony of Connecticut, his first home in America.

With these threads of his biography in hand, the hitherto disputed question of his age is set at rest, and the exact time of his coming to America is fixed. After having solved this difficulty by aid of old records, the present writer was fortunate enough to have his conclusions completely verified by the written testimony of Matthew Lyon himself and his own wife, contained in his family record. This was furnished by Mr. F. A. Wilson, a lawyer of Eddyville, Kentucky, the husband of a great-granddaughter of Colonel Lyon.

Mr. Wilson's note is as follows:

" Eddyville, Kentucky,

" May 9th, 1881.

" Dear Sir.—I was handed this morning part of the family record of Col. Matthew Lyon, said to be in his handwriting. On the back of it is the record of his age, and that of his wife, Beulah, also date of his death. I enclose it to you. I promised to return this paper.

" Yours respectfully,

" F. A. WILSON."

The following is a literal copy of this family record:

" M LYON—

ISSUE 2D VENTURE.

" Minerva, born May 27th, 1785

" Chittenden, born Feb'y 22d, 1787

" Aurelia, born June 27th, 1790

" Matthew, born April 18th, 1792

" Noah Chitt<sup>n</sup>, born March 22d, 1794

" Deceased, born August 16th, Same

" Beulah, born July 26th, 1796."

Giles, born ———, 1803

Eliza Ann, born June 11th, 1805.

[NOTE.—The two last children, Giles and Eliza Ann, are not in the record, but are added by author from data furnished by Mrs. Roe.]

The above interesting family record is in a bold, clear hand, and bears the marks of age. It was undoubtedly written by Matthew Lyon himself. The author has compared it with numerous letters of Colonel Lyon now in his possession, and the writing is identical. On the back of the paper, in a different hand, the following appears:

" Col. Matthew Lyon

Was born July 14th, 1750.

Beulah Lyon

Was born May 15th, 1764.

Col. Matthew Lyon

Deceased August 1st, 1822."

This endorsement, which also bears the marks of age, was probably written by Mrs. Beulah Lyon shortly after her husband's death in 1822. The dates of birth and death in the case of her husband are given, but in that of herself only the date of her birth. It is thus probable that she was still living at the time the endorsement on the record was made, otherwise the date of her death would likely have been given as in the case of her husband. And if she were living, no one else was so apt to be acquainted with the facts as herself. Mrs. Lyon survived her husband eighteen months. The interesting paper was returned to Mr. Wilson, in compliance with his wishes, after an exact copy of its contents had been made for this biography.

Nothing further is needed to correct the mistakes concerning the age of Matthew Lyon in every hitherto published account of his life. Mr. Wharton, author of the celebrated work on American Criminal Law, has written a graphic but imperfect sketch of Lyon in his valuable volume entitled "The State Trials of the United States." Speaking of the old patriot's trial under the Sedition act, he says: "Of the defendant in this case himself, who for many years was so famous in American politics, no biography, as far as I can find, has been written."<sup>•</sup> He was obliged to piece out his narrative from the very imperfect recollections of Mr. Henry Stevens, of Barnet, Vermont, and to collect such incidents in Colonel Lyon's life as he could glean from vague newspaper accounts of his career.

The present is the first attempt to write Lyon's life from original sources which has ever been made. Newspapers and hearsay reminiscences have been the only dependence of all previous writers during the past seventy or eighty years in

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<sup>•</sup> P. 337.

every account extant of his remarkable career. The task of seeking out original sources of information has been entirely neglected. A career full of historical action of the first importance, and replete with stirring and romantic incidents, deserves to be better known, and is still a want, as it was when Wharton wrote, in the political literature of the country.

An American sea captain engaged in that mitigated form of the barbarous slave trade, the transportation of indentured servants, or redemptioners, from Europe to the American colonies, is generally supposed to have lured Matthew Lyon from his native land to this country. This cruel traffic long flourished in both French and British America, and was only discontinued in several parts of the United States about fifty or sixty years ago. Redemptioners were distinguished from African and Indian slaves by the fact that one system was based upon apprenticeship to labor for a term of years in satisfaction of passage or ship money, on the completion of which the debtor redeemed his freedom; while the other system was one of perpetual bondage. Under the Connecticut Code of 1650, commonly called the Blue Laws, the traffic in redemptioners flourished vigorously, and not only in the Connecticut market, but in all the Anglo-American colonies, poor Europeans were constantly on sale in the seaport towns as indentured servants. Skippers and merchantmen drove a thriving business in the brutalizing trade.

The story as handed down that Matthew Lyon was inveigled into the toils of one of these rovers of the deep lacks authenticity. No doubt the captain was ready enough to entrap the boy aboard of his vessel, for that was in the line of his trade,



and no doubt he held out such inducements to him as that a clever young Dublin printer would make money faster in the colonies than at home; but Matthew was not a callow youth to be caught with such a bait. Higher and manlier motives were at play in the boy's bosom. The terrible sufferings of the Irish people at that day, the insurrection of the White Boys against their tyrants and would-be destroyers, the probable execution of his own father during the revolt, and the impoverishment and desolation which no doubt overtook his father's family, all these circumstances furnish stronger motives for his exile than the trumpery lies of a vulgar sea captain playing on the boy's excited credulity. What cared the high-spirited Matthew Lyon whether he came as galley slave or redeptioner, provided that he might put an ocean between himself and the oppressors who had brought such misery home to his own door? But the true story of his emigration has never yet been told. Fessenden's caustic verses and William Cobbett's lampoons, as well as the attacks of others among Lyon's political enemies, served to obscure the truth out of sight.

The bitterness of early party contests, notwithstanding the pictures of idyllic simplicity in the olden day drawn by declaimers of the Fourth of July school, was as intense, if not so vulgar, as it is in the present age. The Federalists sneered at Congressman Lyon as an Irish adventurer who had been bought for a pair of stags. Rhymers of the John Adams party wrote many taunting squibs on this topic. Lyon was too sensible to lose his temper at these attacks, and too proud to be ashamed of his early adversities. He declared that what was said about the stags was perfectly true, and his favorite imprecation was "by the bulls that redeemed me." Fessenden,

the most satirical of the Federalist poets, in a smart song, called the "Dagon of Democracy," the name he gave to Lyon, refers to this incident in the following lines:

"'Tis said that he brags  
How one pair of stags,  
Erst paid for his passage from Europe;  
But the price of a score  
Would scarce send him o'er,  
And pay for his hangman a new ropel

Chorus.

"O then ye are lucky,  
Good men of Kentucky,  
To choose spitting Matt for your idol;  
Come frolic and caper,  
By the blaze of his taper  
And sing fol de rol, diddle di dol."

Petty assaults of this kind, and there were many of them, sealed Lyon's lips on the subject, and uncontradicted malevolence had the whole field to itself. False stories of his emigration and apprenticeship were spread abroad on all sides. Had he denied that he came as a redemptioner, and entered into explanations, his enemies might have said that he was seeking to parry the force of their blows. He, therefore, remained silent, and his epigrammatic oath about the bulls that redeemed him served to give color to the slanders of his enemies. The fact that he did not set out for America as a redemptioner at all, but was reduced to that state of servitude by the bad faith of the captain with whom he sailed, never reached the eye of the general public during Colonel Lyon's lifetime.

His late venerable daughter, Mrs. Eliza A. Roe, of Chana, Ogle county, Illinois, communicated to the present writer in the year 1881, the true history of her father's emigration to America. This account is contradictory in several important particulars of every other one on the subject.

In all other accounts the fact is assumed as conceded that Lyon was a penniless redemptioner who came to America on stipulated terms mutually agreed to between the captain and himself before the vessel sailed. Mrs. Roe corrects this, and declares that her father was cheated out of his money and services, and sold as a redemptioner by the master of the vessel in violation of the agreement between them.


Matthew while living in Dublin had read a great deal about the new world. In 1757 his townsman, the great Edmund Burke, published "An Account of the European Settlements in America" in two volumes,\* in which, with a master's hand, he depicted the rising glories of the colonies. Robertson's "History of America" is to some extent a compilation from Burke's Account. Compared with misgoverned and famine-stricken Ireland, the American colonies presented a contrast too marked to escape the quick eye of Lyon. The evictions begun in 1762 among the Irish Cottiers to make room for alien speculators still continued undiminished in 1765, when Lyon left the country. To his mother he often expressed the wish to come to America, but she invariably refused her consent. Recognizing his talents, she indulged in day-dreams of future greatness for him in Ireland, and mother's love no doubt strengthened her opposition. But the boy's mind was inflamed not only by Burke's account, but by the letters of

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\* A Dublin edition was printed in 1762.

another of his countrymen, the celebrated George Berkeley, Bishop of Cloyne, who came to New England in 1728, and passed about two years at Newport, Rhode Island. Bishop Berkeley's noble verses on the prospect of planting arts and learning in America, the last stanza of which "Westward the course of empire takes its way," is so often misquoted, must have appealed powerfully to Lyon's ardent imagination. Having resolved to quit the down-trodden land of his birth, his resolution became more firmly fixed by opposition, and at length he determined to put it into execution at the first opportunity. That opportunity soon offered. American sea-captains were always on the lookout for Irish youths, and Lyon met one of them at Dublin in 1765 who commanded a fine vessel about to sail for New York. The captain offered Lyon a free passage in place of wages, in consideration of which the youth was to serve as cabin boy during the trip across the Atlantic. These terms were accepted by Lyon. He was the possessor of a guinea which he placed in the captain's hands for safe keeping until they should arrive at New York.

The day before the vessel sailed he went in the gray of the morning to his mother's room to gaze for the last time upon his beloved parent. Knowing that a formal leave taking was out of the question, he entered on tip-toe, for he was well aware that on the slightest intimation of his purpose she would thwart it at all hazards. Long and sadly he gazed upon the sleeping woman, the solitary link that bound him to his home. He described the scene in after years to his family and friends in Vermont as one of the saddest trials of his life. Between filial love and the aspiration to escape from bondage in Ireland to



freedom in America, the struggle was long and bitter. "His nature," says his daughter, "was very sympathetic and affectionate." Commanding with difficulty his pent-up feelings, Matthew took a last silent farewell of his mother, and passed out of her presence forever. Gathering up a small parcel of his clothing he hastened to the vessel, and placed himself under the captain's orders. The latter suspecting that a rescue might be attempted by the boy's friends, secreted him in the hold of the vessel, where he remained concealed all that day.

The late Mrs. Elizabeth A. Roe, of Chana, Illinois, in a letter to the author, has furnished full particulars of her father's departure from Ireland. I will let her tell the story in her own words:

"Chana, Ogle County, Illinois,

"May 24th, 1881.

"Dear Sir.—It is with pleasure I attempt to answer your polite letter in my homely fashion. You cannot expect much from one so old and infirm, 76 the 11th of next June. I am very much pleased that one who is so capable and so interested has undertaken to write my dear Father's history. I have often wondered that it had not been done by some of his political friends.

"In the first place, I must say that I know but very little about his home and friends in Ireland. I know I have often heard my dear Mother say his home was in Dublin, and that his parents were wealthy. My Father came to America when he was fourteen years old. He read a great deal about the New World, as it was called then, and he had a great desire to come over to America. But he was idolized by his parents,<sup>a</sup> and they could not bear the idea of his coming to the new country, and leaving his good home so young. They had taken a great deal of pains to educate him. He was studious and progressed very fast, and they were in hopes that he would make a great

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<sup>a</sup> As Lyon's father was probably put to death at the time of the rising of the White Boys, years before the son's emigration, Mrs. Roe's use of the plural, parents, strengthens Collins's statement that Lyon's mother was twice married.

man at home if he stayed there. But the more he read the more anxious he was to come, and the more his parents opposed it. At length he resolved to steal away and come.

"There were a great many young men coming then who were not able to pay their passage, and they arranged it with the captains of the different vessels that when they arrived in port they would be indentured until the age of twenty-one to pay their board and passage to America. Father thought he would do that rather than not come. He had in his possession one guinea. But he made arrangements with the captain of a very fine vessel to be cabin boy for his passage. The vessel was to sail the next day. He told the captain he would have to secrete him, for his Father would search every vessel at the wharf for him. The captain did so, and when his Father came to the vessel in search of him, he heard his voice calling, 'Matthew, my dear boy, come to the embrace of your Father. Don't leave your parents and go you know not where.' And Father would have gone to him, but that he was secured so he could not get to him. He was very sympathetic and affectionate.

"The vessel sailed next morning, and bore him out of port, and he never saw his parents again. He had such implicit confidence in the captain that he gave his guinea to him for safekeeping. But when he

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"George Taylor, a signer of the Declaration of Independence from Pennsylvania, was a redemptioner. "He was born in Ireland in 1716, so poor," says Thomas D'Arcy McGee in his "History of the Irish Settlers in North America," "that his services were sold on his arrival to pay the expenses of his passage out," p. 68. Also see "The Biographical Cyclopaedia of Representative Men of Maryland and District of Columbia," p. 380, published at Baltimore by the National Biographical Publishing Co., 1879, which says Daniel Dulany's father, Daniel Dulany, Sr., was a cousin of Rev. Patrick Dulany, the Dean of Down, and was born in 1686, in Queens County, Ireland. Owing to his father's second marriage and an irreconcilable quarrel with his step-mother, he ran away while quite a lad from the University of Dublin, indentured himself to pay the expenses of his passage and came to Maryland. Accidentally his education and breeding were discovered by the gentleman who purchased him, and he soon rose to his proper social level. He was admitted to the bar in 1710. The case of Dulany lends plausibility to Mrs. Roe's story that her father's parents were wealthy.

got to port the captain indentured him just as he did the other boys and kept his guinea; only that as he was such a large, fine looking boy he passed him off on sale for eighteen years old. He let them go to the highest bidder. So he was only indentured for three years instead of five. He worked out part of his time, and bought the rest of it, and commenced life for himself. He worked hard at low wages and paid his boss, for he had accumulated some property.

"He was married when he was twenty-one or twenty-two years old to a Miss Hosford. They had four children, and then she died. He lived a widower about a year, and was then married to my dear Mother, who was the third daughter of Governor Thomas Chittenden, and the widow of George Galusha, a son of the second governor of Vermont." \* \* \*

"Yours Very Sincerely,

"Eliza A. Roe."

It appears from this interesting and authentic contribution to the history of Matthew Lyon's early life that he shipped from Ireland, not as a redemptioner at all, but as cabin boy to the master of the vessel, who robbed him of the pittance of money he held in trust for him, and sold him as a redemptioner, in violation of the agreement to give him a free passage to America in lieu of wages as an employee of the vessel. Having cheated young Lyon, it was not surprising that this trafficker in human flesh, even when trying to make some amends for his injustice to him, took care to practice his generosity at the expense of another, and deceived Jabez Bacon, the purchaser of the boy's service, in regard to his age. It is probable the incorrect idea that Lyon was born in 1746 originated with this captain's false statement in adding several years to the boy's true age.

In relation to this voyage an additional occurrence is related by Rev. Pliny H. White in his Lyon address before the Vermont Historical Society. "During the passage," says the Ver-

mont antiquarian, "he (Lyon) was attacked by violent sickness, and was delirious for many days. On his recovery he found himself destitute even of so much clothing as was needful to supply the place of that which his disease had rendered unfit for further use; and his necessities were supplied from the scanty wardrobes of some abandoned women who were his fellow passengers, and who, true to the kindly instincts which were in womanly nature, even when most depraved, had tenderly ministered to him in his sickness when all others deserted him, and now, out of their own deep poverty, supplied his yet greater need." Mr. Matthew S. Lyon, of Evansville, Indiana, mentions the same incident in the letter respecting his grandfather's autobiography.

But to those acquainted with the brutalities and outrages practised upon steerage passengers in emigrant ships, how far the epithet "abandoned" is justly applied by Mr. White to those women, may be an open question. So recently as the year 1860 the Congress of the United States passed stringent laws for the protection of helpless females from inhumanity and brutal violence at the hands of officers and seamen of emigrant vessels. Those who are inclined to know more of the iniquities of those marine dens, and of the peril to which helpless but virtuous female immigrants were formerly exposed, will do well to consult the work of the late John Francis Maguire, M. P., called "The Irish in America." The title of the United States statute is as follows: "To regulate the carriage of passengers in steamships and other vessels, for the better protection of female passengers," and sufficiently shows what evil it was intended to arrest.



Vessels carrying redemptioners in the last century were more open to the charge of licentiousness than those of a more recent date, against which the penalties of the law were denounced in 1860. Archibald Hamilton Rowan, a name imperishably associated with the eloquence of John Philpot Curran, passed a few years in America towards the end of the last century, and bears testimony to the evils endured in the white slave ships by Irish and Dutch redemptioners. In a letter to his wife, written at Wilmington, Delaware, November 5, 1797, Mr. Rowan says:

"The members of the Society for the Abolition of Slavery have not the least objection to buying an Irishman or Dutchman, and will chaffer with himself or the captain to get him indented at about the eighth part of the wages they would have to pay a *country born*. But to tell truth, they who are thus purchased generally do themselves justice, and run away before half their term is up. This, then, like every other abuse, falls hard only on the best subjects."<sup>a</sup> In another letter Mr. Rowan writes: "Swarms of Irish are expected here by the spring vessels, and the brisk trade for *Irish slaves* here is to make up for the low price of flax seed!"<sup>b</sup>

A more particular description of this barbarous traffic is found in Fearon's "Sketches of America," published at London in 1818. "A practice which has been often referred to in connection with this country," says Fearon, "naturally excited my attention. It is that of individuals emigrating from Europe without money, and paying for their passage by binding themselves to the captain, who receives the produce of their labor

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<sup>a</sup>"Autobiography of Archibald Hamilton Rowan," p. 318.

<sup>b</sup>*Ibid.*, p. 318.

for a certain number of years. The price for women is about \$70, men \$80, boys \$60."

The year, but not the month, of Lyon's arrival in America is known. He came in 1765, the year made memorable by the passage of the Stamp Act. Mr. Rowan, writing in 1797, said the spring vessels brought swarms of Irish. Lyon probably came in the spring. For this opinion there is a further reason: The 14th of July was his birthday; he must have arrived before that day, since, if he came after it he was then in his sixteenth year, which he himself said was not the case, as he lived in Connecticut from his fifteenth to his twenty-fifth year.<sup>a</sup>

The town of Ancient Woodbury enjoyed the distinction at that day of being the home of the wealthiest merchant in Connecticut. This was the celebrated Jabez Bacon, whose descendants have been so numerous and respectable in that State. That careful historian Hinman says, in his "Historical Collections," that Bacon left an estate valued at nine hundred thousand dollars. The accounts and traditions of the man which have come down to us represent him as an individual not less remarkable for the originality of his character than for the boldness of his operations. Some of his daring speculations read like the exploits of an Astor or a Vanderbilt or Jay Gould of the present age, rather than those of a country storekeeper in a little Connecticut village a century and a quarter ago.

Mr. Bacon made frequent visits to New York, where he was a lion among the merchants in those primitive days. The leading trait of his character seems to have been extraordinary self-reliance. He was known, says Cothren, to have struck

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<sup>a</sup>Annals of Congress, 1798, p. 1025.

bargains in five minutes upon which the loss or gain of a fortune turned.

It was with this enterprising man that Matthew Lyon's destiny brought him face to face upon his arrival at New York. Bold, impetuous, and daring in the extreme himself, the young Wicklow emigrè, by a rare felicity of fortune, attracted the keen eye of the Connecticut merchant, in whom Lyon saw many of his own qualities reflected, but on the part of Bacon they were chastened and directed by matured judgment and the cool New England temperament. The meeting between them must have been an agreeable one, for their affinities no doubt drew them towards each other from the first. But there are no particulars of this interesting meeting, only the bare statement of the fact itself by Cothren, that "Matthew Lyon was assigned on his arrival in New York to Jabez Bacon, of Woodbury, who brought him home."<sup>a</sup>

In after years Lyon became the founder of a town in Vermont and of another in Kentucky; United States mail contractor for the Western States and territories; and the originator of newspapers, mills, factories, shipyards, and other industries. Who knows how much he owed to old Jabez Bacon, whose pluck and tireless activity were constant objects of admiration to such an apt boy? The contagious influence and example of such a man must have been an excellent school for the young apprentice. Lyon would have become a good business man, though he had never known Bacon; whether he would have done so many things as well, and left his impress upon them all as deeply, without such a guide in the beginning, may very reasonably be doubted. Contact of the right sort is beneficial

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<sup>a</sup> "History of Ancient Woodbury," Vol. I, p 320.

to every one; to a youth of ardent and impressionable nature, its value as an educational influence cannot be overestimated.

About the end of April, 1765, news of the Stamp Act reached New York. It was passed March 22d. From that time to the close of the year the aroused colonies were preparing for war, and in many places the "Sons of Liberty," a title derived from a passage in Colonel Barré's celebrated speech in the British Parliament, were in open rebellion against the royal authority. A Colonial Congress, the first one of the revolutionary era, met this year in New York, and adopted a spirited declaration of the rights and grievances of the Colonies. A petition for redress was dispatched to George the Third, and energetic memorials were sent out to each House of the British Parliament. On the evening of the day appointed for the Stamp Act to go into operation a riot took place in New York. The "Sons of Liberty," in two companies, marched through the streets demanding the surrender to them of the obnoxious stamps. But the distributor had resigned and refused to touch the stamps, and Colden, the commandant, had taken them into the fort. Colden was hung in effigy by the people, and his carriage was burned under the muzzles of his own guns. General Gage, the commander-in-chief in America, who then happened to be on the spot, wisely advised Colden to surrender the stamps to the infuriated populace. They were accordingly given up to the Mayor and Corporation, and deposited in the City Hall.<sup>a</sup>

Such were the scenes transpiring on all sides when Matthew Lyon arrived in the new world. As he left the ship and passed through the streets of New York in company with Jabez

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<sup>a</sup> "Hildreth's History of the United States," Vol. II, pp. 531-2.

Bacon, sounds of the popular commotion must have reached the ears of the astonished boy. They were not unfamiliar sounds to him, for he had heard them in his native Wicklow, with the sinister accompaniments of famine, chains and the gallows superadded—the protests of a people against tyranny. He had come three thousand miles across the sea to escape from that tyranny, and now upon his arrival in America, its black shadow, which he thought he had left behind him forever in the old world, was enveloping in gloom the new. The life of his father had been forfeited to it; his home had been rendered desolate by it; and here it was in New York as in Ireland, lifting its menacing front athwart his path. Filled with dismay must have been the heart of the young exile. But there was this comforting difference, the “Sons of Liberty” were in arms, and the adherents of England were fleeing terror-stricken from the wrath of a people resolved to break the chains of the oppressor before they could be riveted upon them.

Lyon’s stay in New York was probably short, for Jabez Bacon was too much engrossed in mercantile pursuits to take any interest in patriotic affairs, and as soon as he had made his purchases he was off again to Connecticut. Cothren says that “an aged merchant of New York told him many years ago that Mr. Bacon would sometimes visit his store, make him a bid for a whole tier of shelf goods, from floor to ceiling, amounting in value to thousands of dollars, and have the whole boxed and shipped in an hour to the sloop at the foot of Peck Slip, bound for Derby.”<sup>a</sup>

Woodbury is situated in the Pomperaug Valley, in Litchfield county, Connecticut, fourteen miles from the New York State

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<sup>a</sup>“History of Ancient Woodbury,” Vol. I, p. 352.

line, and ninety miles from the city of New York. The young emigrant was soon established in his new home in the "land of steady habits," an apprentice of the most enterprising merchant in the Colony of Connecticut.

This town was the birthplace of many revolutionary heroes. Among the number were the future uncle by marriage of Matthew Lyon, Ethan Allen himself, the Ajax Telamon of the Green Mountain Boys; also Seth Warner, their Hercules in stature and prowess; and Remember Baker, worthy kinsman and associate of both. The note of preparation for the great struggle was already heard in Ancient Woodbury, and Matthew Lyon began to learn his first lessons in the cause of freedom among the hardy sons of the Connecticut mountains.

## CHAPTER II.

THE COLONIES THROW OFF THE YOKE OF ENGLAND—CHIEF JUSTICE MARSHALL'S ERROR—GATHERING UP THE LOST THREADS IN MATTHEW LYON'S EARLY LIFE IN CONNECTICUT AND VERMONT—HIS FIRST MARRIAGE—PRESIDENT DWIGHT FORGETS HIS USUAL URBANITY.

"THERE were not wanting some," said the elder Pitt, in his celebrated speech on the right of taxing America, "when I had the honor to serve his Majesty, to propose to me to burn my fingers with an American stamp act. With the enemy at their back, with our bayonets at their breasts, in the day of their distress, perhaps the Americans would have submitted to the imposition; but it would have been taking an ungenerous and unjust advantage of them."<sup>a</sup> The great Commoner was mistaken, not only in his opinion of the probable result, but in the motives which prevented the experiment. Magnanimity or justice to the Colonies had nothing to do with England's forbearance. During the old French war the British government feared to encounter the danger of such a step, for on its American Colonies the happy issue of the war mainly depended. Had a stamp act been imposed at an earlier day, England and not France would have been driven out of America. Robert Walpole, the predecessor of Pitt, main-

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<sup>a</sup> Speech of William Pitt on the Right of Taxing America, delivered in the House of Commons January 14, 1766.

the first of the century, the English were  
 the first to establish colonies in the  
 West Indies. The first colony was founded  
 in 1492, and the first English colony was  
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Colonies struggle against English monopoly. Charles, trusting less to prerogative than parliamentary enactments, brought into full play the Navigation Act, and cramped the trade of America by duties, restrictions and penalties of the most exacting nature. The Colonies were yet too weak to offer effectual resistance. If this external oppression had been followed up by internal monopoly, or the imposition by Parliament of an inland tax upon the plantations, the last safeguard would have been swept away, the power of self-protection would have been at an end, the freemen of the American provinces would have become the veriest slaves of England. It was providential that the right was not then set up to levy taxes for revenue on America, for resistance at that day was out of the question. With equal rigor, but less ability, James the Second pursued the oppressive commercial policy of Charles towards the Colonies. He made the mistake, however, of trusting to prerogative, where the last King, with better statesmanship, relied on the co-operation of Parliament. The loss of his throne rendered the hostility of James to the Americans powerless for injury.

Upon the accession of William of Orange, America, for the first time, was in a position to dictate to England a policy promotive of provincial rights and liberties. Hitherto it had been the thrall of England; now it became the bulwark of British domination. From this time forward, for a period of seventy-five years, down to 1763, England and France were in an almost uninterrupted struggle for supremacy in America. The commands of the Crown upon the Colonies for men and money, during the progress of these wars, were about as effective as afterwards were the recommendations of the old Con-

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federated government to the thirteen States. The Colonial Assemblies obeyed the requisitions or not, as seemed to them most convenient. Both Crown and Parliament chafed under this defiant growth of liberty in the Colonies, but as their aid in the wars with the French was indispensable, the hazardous experiment of taxing them, however near the English heart the desire might be, never was ventured upon in a single instance. That England longed for the favorable hour when she might unresisted wield autocratic power over her American provinces cannot for a moment be doubted by anyone who closely examines the events of those days.

In 1701 and again in 1714, Parliament attempted the destruction of the charter and proprietary governments. Still another and more dangerous effort was made by Parliament in 1748 to give to the King's colonial instructions the force of law. Finally the secretary for foreign affairs and the English Board of Trade proposed in 1753, with the same ulterior designs upon the liberties of America, a plan of colonial union, which was formulated by Franklin the next year in the Albany Convention, but rejected by the Colonial Assemblies on the one hand, as detrimental to their freedom, and by the English government on the other, for the opposite reason that it dangerously enlarged it.<sup>a</sup>

The exigencies of England in that age enabled the Colonies to baffle all these attempts upon their liberties. Fear, and not affection, withheld the vengeance of the mother country. English statesmen, with Lord Chatham at their head, might descant upon British magnanimity; but the war-cry of New France, intermingled with the war-whoop of the Algonquins,

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<sup>a</sup>Hildreth's "History of the United States," Vol. II, p. 444.

proved the potent arbitrator between the Anglo-American Colonies and the vengeance of their loving mother.\* England's magnanimity was brought to the test in 1763, when, by the aid of the Colonists, the English arms were victorious, and the French power in America was destroyed. Hardly had the treaty of Paris been signed when England gave notice of her tender purpose, now that the hated French were out of the way, to carry through Parliament an American Stamp Act, and to crush the Colonies between the upper and nether millstones of commercial high protective restrictions and internal monopoly. Taxes were to be raised in America for purposes of revenue by the arbitrary fiat of a Parliament in which Americans were not represented. Mr. Grenville, the illiberal lawyer and official barnacle, with the whip and spur of an imperious majority, carried the Stamp Act through Parliament March 22, 1765. The insolent vices of prosperity were hurrying England forward to her supreme and crowning humiliation.

The biography of Matthew Lyon is not the place to write the history of the Revolution, but before passing from the consideration of the Stamp Act, the first measure of arbitrary power in the impending struggle, the writer of these pages cannot but express astonishment to find Chief Justice Marshall implicitly following Lord Mansfield in the procession of courtiers, and making special pleas on the side of King, Lords and Commons. Not only does the American Chief Justice appear to lean to the side of arbitrary power, but he makes a labored argument to show that in Parliament was lodged the right to impose a tax upon the Colonies in order to raise a revenue for England.

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\*"Life of John Stark," by Edward Everett, p. 3 in Vol. I of "Sparks's American Biography."

No wonder that Junius fixed Mansfield in the pillory. No wonder that the author of the Declaration of Independence looked upon the American Mansfield as too close a copy of the original. But judges are the natural defenders of prerogative. In Marshall's "Life of Washington," which Jefferson described as "a five-volumed libel" upon the Democratic party, and as a partisan publication prepared rather to bolster up the sinking fortunes of the Federalists than to celebrate Washington,<sup>a</sup> the Chief Justice exposes his want of acquaintance with Colonial history by the following observations: "The degree of authority which might rightfully be exercised by the mother country over her Colonies had never been accurately defined. In Britain it had always been asserted that Parliament possessed the power of binding them in all cases whatsoever."<sup>b</sup> And then, as if he had never heard of James Otis or old Sam Adams, he asserts that even in rebellious Massachusetts "this had perhaps become the opinion of many of the best informed men in the province."<sup>c</sup> Next follows this extraordinary statement: "The English statute book furnishes many instances in which the legislative power of Parliament over the Colonies was exercised, so as to make regulations completely internal; and in no instance that is recollected was their authority openly controverted."<sup>d</sup> As if there could not be a doubt about it, this high prerogative Federalist refers to the utterances of English ministers at divers times on the subject, and then sums up thus: "Of the right of Parliament, as the supreme authority of the

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<sup>a</sup>"Jefferson's Works," Vol. V, p. 587; IX, p. 478, etc.

<sup>b</sup>"Marshall's Washington," Vol. II, p. 99.

<sup>c</sup>*Ibid.*, Vol. II, p. 99.

<sup>d</sup>*Ibid.*, Vol. II, p. 101.

nation, to tax as well as to govern the Colonies, those who guided the councils of Britain seem not to have entertained a doubt."<sup>a</sup> Why even that oracle of the law, Daniel Dulany, loyalist and all as this illustrious man afterwards became, utterly annihilates these specious claims of a parliamentary right to raise a revenue by taxation in the Colonies.<sup>b</sup>

It was these grave mistakes of Chief Justice Marshall in dealing with important facts of Colonial history that compelled Chancellor Kent, otherwise his warm admirer, to say of his "Life of Washington:" "This work is very authentic and accurate, except the first volume on Colonial history."<sup>c</sup> Mr. Bancroft, though he himself is happier at narrative than constitutional exposition, declares "Marshall meagre and incomplete."<sup>d</sup> Blackwood's Magazine finds him "greatly mistaken several times in matters of importance."<sup>e</sup> John Randolph, the extravagant admirer of Marshall, said in a letter to Philip Barton Key, "I cannot, however, help thinking that he was too long at the bar before he ascended the bench; and, that like our friend P., he had injured, by the indiscriminate defense of right or wrong, the tone of his perception (if you will allow so quaint a phrase) of truth or falsehood."<sup>f</sup>

The gravamen of Marshall's statements is that anterior to the passage of the Stamp Act, Parliament possessed the right to bind the Colonies in all cases whatsoever, externally and

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<sup>a</sup> *Ibid*, Vol. II, p. 103.

<sup>b</sup> "Dulany's Considerations," etc., quoted with approval by Lord Chatham in the House of Lords.

<sup>c</sup> "Kent's Course of English Reading, 1853," p. 44.

<sup>d</sup> "North American Review," Vol. XLVI, p. 483.

<sup>e</sup> "Blackwood," Vol. XVII, pp. 57, 187.

<sup>f</sup> Baldwin's "Party Leaders," p. 241.

internally, and that this authority had never been openly controverted by the Colonies. This, of course, embraced the right to tax them for purposes of revenue. Never was more egregious error made by a weighty writer. Judge Marshall confounds the commercial regulations and restraints imposed by the mother country upon the Colonies with the right to tax them for revenue. The former had been in force from the earliest days, from the origin of the Navigation Act in 1651, but never until 1764, more than a century later, when the Stamp Act was brought forward, had the attempt been made to impose a revenue tax upon America by the British Parliament. Edmund Burke, the highest authority upon Colonial history, is very clear on this point. "The principle of commercial monopoly," Burke says, "runs through no less than twenty-nine acts of Parliament, from the year 1660 to the unfortunate period of 1764. In all those acts the system of commerce is established, as that from whence alone you proposed to make the Colonies contribute (I mean directly and by the operation of your superintending legislative power) to the strength of the empire. I venture to say that during that whole period"—how could Marshall have failed to know this?—"a parliamentary revenue from thence was never once in contemplation. Accordingly in all the number of laws passed with regard to the plantations, the words which distinguished revenue laws, specifically as such, were, I think, premeditatedly avoided.

\* \* \* This is certainly true, that no act avowedly for the purpose of revenue, and with the ordinary title and recital taken together, is found in the statute book until the year I have mentioned, that is, the year 1764. All before this period stood on commercial regulation and restraint. The scheme of a

Colony revenue by British authority appeared, therefore, to the Americans in the light of a great innovation."<sup>a</sup>

Chief Justice Marshall's reading of the English statute-book must have been limited, when with such commentators as Edmund Burke and Lord Chatham right at hand on the very subject he was discussing, he preferred to assert for English prerogative claims more extravagant than had been set up by the English people themselves. Judge Marshall probably formed his opinions on this subject from those of the Crown lawyers, which were oracular to this extent, that they always were adapted to the wishes of those who sought them, whether or not, as a Colonial witticism ran, they were given for half a crown each. "I have lived long enough," Daniel Dulany said, "to remember many opinions of Crown lawyers upon American affairs. They have all declared that to be legal which the minister for the time being has deemed to be expedient."<sup>b</sup>

The Colonists maintained the right of internal taxation as residing exclusively in the several Assemblies of the Freemen of the Provinces. The Crown had never encroached upon it. In the many discussions in Colonial history upon the extension of the English statutes, the Americans had always claimed as their own inheritance the principles of English liberty. With their institutions, their polity, and their charters was inseparably interwoven the idea of representation as the basis of taxation. In all the Colonies, whether under proprietary, royal or charter governments, the people of each one of them from the

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<sup>a</sup> Edmund Burke's speech on American Taxation, delivered in the House of Commons, April 19, 1774.

<sup>b</sup> "Dulany's Considerations," Annapolis, 1765.

first had always been known in their legislative annals as "the freemen of the province." The careful student of history will find from the dawn of English settlement in America the germ of State rights planted in each Colony. Local self-government was the fundamental theory of all the plantations. All grants for money were made by the Colonial Assemblies. Whether the requisition was from the Crown directly, or the proprietary, or the governor, the veto on arbitrary power was lodged in the freemen of the provinces represented in their several Legislatures or Assemblies. Jealously did they guard the trust. Here then is to be found the origin of the sovereignty of the American people, and not in any written constitution. The *lex non scripta* of the freemen of the provinces was the fountain source of civil and political liberty in the United States. It came in with the extension of the English statutes, and antedated the struggle for independence by more than a century. State pride may fondly cling to these early memorials, for they are the title-deeds of the Republic. In them are to be found ample proofs of that autonomy of the States which it is somewhat the fashion of late to deride.

The war of the Revolution, according to Daniel Webster, was fought "on a preamble."<sup>a</sup> But Mr. Webster's epigram referred to the second stage of the controversy, that which immediately preceded the clash of arms. Patrick Henry and James Otis first uttered the cry of liberty. The people of each Colony echoed back the cry when they were told their birth-right was in danger, and all were ripe for resistance from the moment the passage of the Stamp Act became known.

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<sup>a</sup> "Webster's Works," Vol. IV, p. 109.



Resistance was everywhere. The Sons of Liberty<sup>a</sup> spread over all the Colonies so spontaneously that the honor of giving the first impulse to the movement cannot be assigned to any man or to any Colony. "The punctured veins," says the eloquent John V. L. McMahon, "only gave out the blood that pervaded the whole system."<sup>b</sup> Those who led in the crusade for freedom are indeed up among the immortals. "Such," remarks McMahon, "were Henry of Virginia, and Otis, of Massachusetts, in the two great Colonies, whose movements against the Stamp Act stand first in order and importance upon the page of history. They touched the chord of public feeling, already tremblingly alive; and they knew its response."<sup>c</sup>

The young emigrant at Ancient Woodbury had arrived in the country in the height of the Stamp Act excitement. Lyon's first impressions of America were formed at a time remarkably favorable to a quickening of the impulses of freedom. That portion of his life which was passed in Connecticut has scarcely been mentioned by those who have written cursory sketches of his career. The Rev. Pliny H. White, in his address on Lyon before the Vermont Historical Society, refers to the place of his nativity and his early arrival in America, but then taking a short cut into his subject, he declares he knows nothing further of him for the succeeding eleven years, that is, until his arrival in 1777 at Arlington, Vermont. He dismisses the interesting period from his fifteenth to his twenty-fifth year, with the remark that "neither record nor tradition bears witness to

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<sup>a</sup> A title borrowed from Colonel Barré's famous speech. Hildreth's "History of the United States," Vol. II, p. 529.

<sup>b</sup> McMahon's History, "View of the Government of Maryland," p.

333.

<sup>c</sup> *Ibid*, p. 333.

## MATTHEW LYON

... his life in Lyon's early life."<sup>a</sup> Fortunately for the  
... of the present biography, Rev. Mr. White was  
... There is no authority for his statement that Jesse  
... was one of the holders of Lyon's indentures.  
... likewise absurdly at fault in assigning him to the  
... a laborer in the employ of Thomas Chittenden,  
... Vermont, afterwards Governor of the State."<sup>b</sup>  
... to tell an anecdote about a New York Fifth  
... suchman, who eloped with his employer's daughter,  
... out of the path of history into that of romance.  
... several other inaccuracies in Mr. White's address,  
... corrected in these pages, notably concerning Colonel  
... second wife, the number of her children, and the dura-  
... married life.

New Vermont writers are nearly as silent in relation to the  
... Lyon spent in Connecticut. The present writer recog-  
... importance of collecting the lost threads of that part  
... which preceded his advent in Vermont, before the  
... concerning his youth, invented afterwards by adversa-  
... season of fierce political contention, should come to  
... accepted as sober fact. Patient research has rewarded the  
... with success. Connecticut antiquarians had not  
... ignored the young man. The descendants of Colonel  
... valuable aid by furnishing letters, speeches and  
... sketches. Miss Susan Quincy, daughter of Presi-  
... Quincy, of Massachusetts, and Mrs. S. L. Gouver-  
... of Washington, granddaughter by marriage of Presi-

"Life and Services of Matthew Lyon," by Pliny H. White, 1858,

<sup>a</sup> *Ibid.* p. 6

dent Monroe, have also placed the author under great obligations by sending him interesting original letters of Colonel Lyon to Josiah Quincy and Senator Mason. All the facts bearing on the subject of his life in Connecticut which are probably accessible at this day will now be presented in their appropriate order. If other records and memorials lie buried away beneath the moth and rust of a century and a quarter, some intrepid antiquarian may yet bring them to light.

The fact of Matthew Lyon's residence in Connecticut is established upon the testimony of four separate authorities:

First, Lyon himself, in a speech in Congress in 1798; second, George C. Woodruff, in his "History of the Town of Litchfield," published in 1845; third, Payne Kenyon Kilbourne, in his "Biographical History of the County of Litchfield," published in 1851; fourth, William Cothren, in the first volume of his "History of Ancient Woodbury," published in 1854.

In one or two other places the fact is mentioned incidentally, but the writers here designated claim to have prepared their volumes from unpublished original sources, and may be called properly authorities on the subject.

"After living ten years in Connecticut," said Matthew Lyon, February 1, 1798, on the floor of Congress, "from my fifteenth to my twenty-fifth year, I removed to a new settlement in Vermont, then called New Hampshire Grants, about thirty miles from Ticonderoga."<sup>a</sup> A few days before making this statement, he had said on the floor of the House: "By these things, and my standing in this House, I could prove that I have always been respected in the country I represent, and where I have lived these twenty-four years."<sup>b</sup>

<sup>a</sup>Annals of Congress, 1798, p. 1025.

<sup>b</sup>Annals of Congress, 1798, p. 973.

Mr. Woodruff's volume contains the first notice of Lyon, unless "Morris's Statistical Account of Litchfield," now out of print, may be excepted. "Formerly by a law of this State," Woodruff says, "if debtors had no other means to pay their debts, they were assigned in service for that purpose. And it is said to have been common for poor foreigners, who could not pay their passage money, to stipulate with the captain of the ship, that he might assign them to raise the money. Persons so assigned were called redemptioners, and several were so held in this town. Among them was Matthew Lyon, a native of Ireland, who was assigned to Hugh Hannah, of Litchfield, for a pair of stags valued at £12. Lyon was afterwards a member of Congress from Vermont and from Kentucky."<sup>a</sup>

The next reference to Lyon is found in Mr. Kilbourne's volume, much commended by Connecticut scholars for its antiquarian research. Among condensed sketches of a number of local celebrities occurs the following: "Lyon, Matthew, Colonel, a native of Ireland, came to this country in 1758, and was for several years a resident of this county. He emigrated to Vermont, and was there elected to Congress in 1797, and again in 1799; he soon after removed to Kentucky, and was sent to Congress from that State from 1803 to 1811. His son, Chittenden Lyon, was in Congress from Kentucky for eight years. Both of Colonel Lyon's wives were natives of this county, the first being a niece of Ethan Allen, the second a daughter of Governor Chittenden."<sup>b</sup>

The third notice is given by Mr. Cothren in his elaborate and valuable work. This author says: "It is asserted to have

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<sup>a</sup> Woodruff's "History of the Town of Litchfield, 1845," pp. 29-30.

<sup>b</sup> Kilbourne's "Biographical History of the County of Litchfield, 1851," p. 358.

been a common practice for poor foreigners who were unable to pay their passage money, to engage their passage by stipulating with the captain of the vessel which brought them to this country, that he might assign them in service to raise the money which was his due on arrival at the port of destination. Persons assigned in this manner were called redemptioners, and more than one was so held in Ancient Woodbury. Among the number was Matthew Lyon, a native of Ireland, who was assigned on his arrival in New York to Jabez Bacon, of Woodbury, who brought him home, and after enjoying his services for some time, he assigned him for the remainder of the time of service to Hugh Hannah, of Litchfield, for a pair of stags valued at £12. By dint of sterling native talent, under these most disheartening circumstances, he fought his way to fame and eminence. \* \* \* Lyon's success furnishes a striking example of the genius of the institutions of our favored country."<sup>6</sup>

The particulars mentioned by Colonel Lyon in the extracts from his speeches above quoted, will suffice to correct the error of Kilbourne in regard to the year of his arrival in this country. It is known that he went immediately to Connecticut after his arrival at New York from Europe. Mr. Cothren states that fact correctly. Lyon's declaration in 1798, that he had lived in Connecticut ten years, and in Vermont twenty-four, settles the question definitely as to the time he reached America. It was in the year of the Stamp Act, 1765.

Ancient Woodbury, his first home in America, was one of the early settlements of Connecticut. Many pioneers had arrived there, even so far back as 1673. The charter of the town

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<sup>6</sup> "History of Ancient Woodbury, 1854," Vol. I, p. 320.

was granted in the spring of 1674, as the following minutes attest: "A court of election held at Hartford, May 14, 1674; This court grants that Paumperaugh and the plantation there shall be called by the name of Woodbury, which town is freed from county rates fower yeares from this date."<sup>a</sup> Woodbury, according to Cothren, was a place of extensive limits, and continued to be for years after its settlement one of the largest and most important towns in the western part of Connecticut. Here, with flaunting banners and "sonorous metal," came Lafayette and the French army marching through the town to join Washington in the south. Here they stacked arms for rest, and the old chroniclers relate that the fair maidens of Woodbury danced on the village green with some of the handsome young soldiers from chivalrous France.<sup>b</sup> If we may judge of the prosperity of the town from that of one of its merchants, Jabez Bacon, to whom Lyon was apprenticed, it was a remarkably thriving place. "He was for years," Cothren says, "the sole merchant of this town, and all the neighboring towns; and so large at times was his stock in trade that it is credibly reported merchants from New Haven sometimes visited Woodbury, and purchased from Jabez Bacon goods to retail afterwards in that city."<sup>c</sup> He was a person of consequence, as mentioned in the preceding chapter, even among the business men of New York, whither he frequently went to lay in goods. His active young apprentice perhaps sometimes

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<sup>a</sup> Trumbull's "Colonial Records," p. 227. I was informed by the famous antiquarian collector and bookseller of New York, the late Mr. Sabin, that Trumbull would neither publish nor allow access during his lifetime to his "Colonial Records."

<sup>b</sup> "History of Ancient Woodbury," Vol. I, p. 213.

<sup>c</sup> "History of Ancient Woodbury," Vol. I, p. 352.

accompanied him, for in the letters of Lyon allusions to the habits and customs of the people of New York at that period are occasionally made, and particulars are given that would seem to have been derived from personal observation.

Bacon dealt largely in pork, the "Old Red Store in the Hollow," as his place was called, often being packed with dressed hogs which he shipped via "Darby Narrors," to New York. A bold operation is related of him, and if Lyon witnessed it, of which however there is no positive evidence, it must have produced a lasting impression on so apt a boy. It appears that the old trader turned an unsuccessful venture into a grand business achievement, and "put the screws" on the whole New York market. He had made a large shipment to the city, consisting of a choice lot of pork, and counted confidently on handsome profits. But when he reached there he could find no purchasers, even the houses he was in the habit of dealing with offered ruinously low figures for his meat. To sell at such prices was to incur heavy loss, to re-ship perishable meat to Derby, a total one. He soon found out the cause of the depression. Two immense shiploads of pork were expected in that day from Maine. The person who gave him the information might have noticed an instantaneous change in Bacon's manner. Cothren, who relates the story as an unquestionable fact, says: "The old gentleman merely set his teeth firm, an ominous trick of his in a bargain, and left the store. He instantly took a horse, rode some six miles up the East River shore, to about what is now Blackwell's Island, boarded the sloops as they came along, and purchased every pound of their cargoes, staking his whole fortune for it. This, at that day, put the whole New York market in his hands, and

tradition says he cleared forty thousand dollars by this single operation."<sup>a</sup> This was a stroke of genius scarcely inferior, except in the magnitude of the operation, to that related of the famous Rothschild, who went out and watched the varying fortunes of the battle of Waterloo until he saw the Old Guard of Napoleon broken and in retreat. Then the Napoleon of finance hastened to London in advance of the news and bought English consols, clearing out of hand five millions of dollars as his share of the victory. How fully the enthusiastic Lyon, already burning with business ardor, must have enjoyed this transaction of Bacon, whether as an eye-witness or as a listener to the story from the lips of the redoubtable Jabez, may be easily imagined.

Ethan Allen, Seth Warner and Remember Baker had left Woodbury before Lyon became a resident of the place. But in their occasional visits to relatives and friends in the neighborhood, the three famous leaders and Lyon met as acquaintances and friends. There is a tradition in Connecticut that Lyon went with them to Vermont, but this is a mistake. He continued to live in Connecticut until 1774, several years after the others had become residents of the Hampshire Grants.

From the first Lyon was an ardent patriot. Soon after he reached Woodbury a convention was held of all the towns of Litchfield county, and Woodbury was fully represented. Spirited measures were adopted by this body, and it was "resolved that the Stamp Act was unconstitutional, null and void, and that business of all kinds should go on as usual."<sup>b</sup> Patriotic excitement ran high among the hardy yeomanry of

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<sup>a</sup>*Ibid.*, Vol. I, p. 353.

<sup>b</sup>*Ibid.*, Vol. I, p. 173.



the county. Notwithstanding their mutual esteem and congeniality of temperament, a serious cause of disagreement now grew up between Jabez Bacon and Matthew Lyon. The boy was a fiery Whig; the man was suspected of being a Loyalist. General Benedict Arnold once preferred charges against Bacon, and ordered the Deputy Commissary-General, Peter Colt, to seize contraband goods of his at Derby which it was supposed Bacon was about to smuggle to the British on Long Island. Captain Isaac Tomlinson, of Woodbury, was involved in the same charge of disloyalty to the popular cause. They stood their trial and were acquitted.<sup>a</sup>

But Bacon was immersed in the pursuit of gain, Lyon more interested in the cause that "tried men's souls." Cothren says Bacon at his death was worth about half a million. Hinman, as we have already seen, placed the amount still higher, and rated him at nine hundred thousand dollars; either sum was an enormous fortune in those primitive days. As the troubles of the times increased, Mr. Bacon finally allowed Lyon to look out for another employer, and after a year's residence in Woodbury the young Whig was assigned to Hugh Hannah, of Litchfield.<sup>b</sup> The consideration paid by Hannah was a pair of stags

<sup>a</sup> "State Archives of Connecticut," Vol. XV, p. 66.

<sup>b</sup> In "Reminiscences of Fair Haven," "written by Miss Emeline Gilbert, as communicated to her by Benjamin Franklin Gilbert," and published in Vol. I of the papers of the Rutland County Historical Society, pp. 146-7, there is what purports to be a sketch of Colonel Lyon. It is, however, only a fancy sketch. Among its other errors of fact, the following more glaring ones may be enumerated: First. "At the early age of nine years he sailed for America, landing at New Haven, Conn." Not true. He was fifteen at the time named, and landed at New York. Second. "The captain sold him to a farmer for a pair of stag oxen." Not true. See "History of Ancient Woodbury," Vol. I, p. 320. Third. "At twenty-

of the value of £12, old tenor, equivalent to \$40. The price paid by Bacon originally is not known, but writers of that age on the apprentice system, both in the English and French colonies in America, inform us that common laborers were worth between forty and fifty dollars; tradesmen and mechanics from sixty to one hundred dollars and upwards. Lyon had learned the trade of printer in Dublin, and although he was but fifteen years old, it is probable Bacon paid the ship captain about sixty dollars for his indentures. He received forty dollars, or its equivalent, from Hannah, or about two-thirds perhaps of the original price.

Hugh Hannah, like Bacon, was a country merchant, but no suspicion of disloyalty to the patriots was ever whispered against him in the local chronicles of Connecticut. The writer has been informed by Mr. Cothren, the well known contributor to the early history of Litchfield county, that it is a tradition there that Matthew Lyon improved his leisure hours while with Mr. Hannah by a diligent course of study and reading. He

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one years of age he was free from his master, and made his way to the southern part of Vermont." Not true. He was free at eighteen, married at twenty-one, and did not go to Vermont until he was twenty-five years old. See Mrs. Roe's letter, and Lyon's speech in Congress, February 1st, 1798. Whether the following statement has better claims to truth than the preceding ones is left to the decision of the reader: "With the floggings of an abusive master and mistress, and the stringency of the 'Blue Laws' of Connecticut, the boy had but a sorry time in his new home. Possibly the master was not better suited, for he soon sold him to another man. The change was a fortunate one for the lad, for in his second home he received better treatment and some schooling." Lyon's age and combative propensities render those "floggings" doubtful. A big muscular boy in his sixteenth year, and almost fiery enough to fight a rattlesnake and give him the first bite, was not a tempting customer to practice upon with birch or otherwise. The story looks apocryphal.

became well known at Litchfield, and made many friends there. The intense energy with which he always set about the business before him, and the impetuosity and frankness of his manners soon attracted favorable attention; the warmth of his affections and a riant, Celtic humor greatly promoted his popularity; while the daring courage and zeal with which he enlisted in the patriotic movements of the day brought him into contact and habits of intimacy with those famous men, Thomas Chittenden and Ethan Allen, the latter then residing at Salisbury in the same county. He probably formed the conception of the extensive iron works he afterwards established in Vermont from an inspection of similar works at Salisbury, Connecticut, which were in part the property of his friend, Ethan Allen. "The first furnace in the Colony," Judge Church said, "was built at Lakeville in Salisbury, in 1762, by John Hazleton and Ethan Allen, of Salisbury, and Samuel Forbes, of Canaan."<sup>a</sup> The tenacity of the iron ore of Salisbury is said to be unequaled. At a later date the National Armories of Springfield and Harpers Ferry were supplied from this place, and the best anchors and chain cables of the Navy were also manufactured with Salisbury iron.<sup>b</sup>

Mrs. Roe, daughter of Matthew Lyon, informed the present writer, as heretofore stated, that her father's term of apprenticeship lasted less than three years. "He worked out part of his time, and bought the rest of it," says his daughter, "and com-

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<sup>a</sup> Chief Justice Samuel Church's address at the Litchfield Centennial celebration, 1851.

<sup>b</sup> *Ibid.*

menced life for himself."<sup>a</sup> Her statement of this fact, hitherto a matter of guesswork among all writers, is important, and the only authoritative one on the subject. She was seventeen years old when Colonel Lyon died. She probably got the information from her father himself. According to Mrs. Roe, Matthew Lyon became a freeman in the year 1768. As he did not leave Connecticut until 1774, the last six or seven years of his life there were devoted to his own interests and pursuits. During the term of his apprenticeship, Mrs. Roe adds, "he had accumulated some property."<sup>b</sup> He consequently did not begin his career empty-handed. Lyon fell in love with a Miss Hosford, probably of Salisbury, the niece of Ethan Allen, and following the custom of Connecticut, where early marriages were the rule, the young couple were married shortly after Lyon attained his twenty-first year.<sup>b</sup> Canaan had been the residence at one time of Ethan Allen, and of his father, Joseph Allen. Possibly Miss Hosford may have lived there. But Mr. Cothren, the historian of Ancient Woodbury, informed the author that Hosford is a Salisbury and Cornwall name.

Lyon's union with this young lady proved in every way happy. It supplied a new incentive to his exertions, and the cares of a family soon gave to the character of the impetuous youth the counterpoise of stability of the matured man. Social advantages, in addition to domestic happiness, were acquired by his marriage into the influential Allen family, a family soon to become powerful in Vermont. This connection and the favorable acceptance it met with on both sides establish the fact of Matthew Lyon's respectable standing in the community where

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<sup>a</sup> Letter of Mrs. E. A. Roe, of May 24th, 1881.

<sup>b</sup> *Ibid*

he lived. The nephew by marriage of Ethan Allen, and the favorite associate of the hero of Ticonderoga and of the other leaders of the Green Mountain Boys from the origin of that celebrated martial clan, was an individual of no mean pretensions from his earliest manhood. The circumstance of his having begun his career as an apprentice attached no discredit to Lyon's name. It was only in the fierce party conflicts a quarter of a century later, when his talents had made him a formidable antagonist, that his political opponents seized upon the fact as a weapon of ridicule to be used against him. Colonel Lyon in later life always spoke with pride of his respectable standing among the people of Connecticut. At the time of his altercation with Roger Griswold, on the floor of Congress in 1798, he declared he was well acquainted with the people of that State, as the first part of his life in this country had been passed there. He not only knew them well, he said, but having lived among them for many years, he was confident that if he returned there and set on foot a printing press for six months, although the people were not fond of revolutionary principles, he could effect a revolution which would result in the overthrow of the Representatives in Congress from that State, since they were acting in opposition to the interests and opinions of nine-tenths of their constituents.\*

Notwithstanding the poverty and struggles of his boyhood, Matthew Lyon's career in Connecticut was an honorable one. Commencing as a redemptioner, and buying his freedom before the expiration of his term of service, he so conducted himself that every incident of his life there shows a certain law of development as its characteristic mark. When each year

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\* Annals of Congress, 1798.

closed he was farther advanced than at its beginning. The lessons he learned in the first twelve months under old Jabez Bacon, the John Jacob Astor of the Paumperaug Valley, bore fruit afterwards when he became the founder of towns in Vermont and Kentucky. Resuming his studies the second year, when employed by Hugh Hannah, of Litchfield, the academic advantages, which had been cut short in Dublin, he revived either by studying self-imposed tasks, or under the tuition of a schoolmaster. He continued in this way to improve his mind and his fortunes until he completed his twenty-first year. Then his marriage to Miss Hosford took place. His avocations during the four succeeding years are not specifically mentioned in his literary remains, but they were sufficiently remunerative for the maintenance of a growing family. Probably he was employed in the iron works of Ethan Allen at Salisbury, as his knowledge of that business was displayed at Fair Haven. His associations were with men of the character of the Allens and Chittendens. Matthew Lyon and Rev. Bethuel Chittenden, a well-known minister of the Episcopalian Church, and a brother of Thomas Chittenden, settled in the same neighborhood in Vermont, Lyon in Wallingford and Bethuel Chittenden in Tinmouth, a few miles away. In fine, as far as the old chronicles of Connecticut make mention of his name, Lyon appears to have been a growing figure during the whole time he resided in that Colony.

Nor is his case a singular one. By their talents and services to the people, many redemptioners rose to high public positions in various parts of the country. Daniel Dulany the elder, before referred to, who for forty years held the first place in the confidence of the Proprietary and

the affections of the people of Maryland, was an Irish redemptioner.<sup>a</sup> He was Attorney-General, Judge of the Admiralty, Commissary-General, Agent and Receiver-General and Councillor in the Province of Maryland during the successive administrations of Governors Bladen, Ogle and Sharpe. His son, the celebrated Daniel Dulany the younger, was the greatest lawyer in America before the Revolution. His opinion on the Stamp Act was quoted by Lord Chatham with the highest commendation in his famous speech in the House of Lords, May 27, 1774, on the bill authorizing the quartering of British soldiers on the inhabitants of Boston.

George Taylor, a distinguished Revolutionary patriot, member of the Continental Congress, and one of the signers of the Declaration of Independence, was, as already mentioned, another Irish redemptioner.<sup>b</sup> "Persons of sterling character and skill in the mechanic arts," says Rev. Dr. Foote, in his "Sketches of Virginia," "were found in these companies (redemptioners), and having served their allotted time with credit and cheerfulness, became wealthy and held an honorable position in society, the descendants being unreprieved for the faithful servitude of their ancestors."<sup>c</sup> In 1748 the great-grandmother of the illustrious Stonewall Jackson came out as a redemptioner from Europe to Maryland.<sup>d</sup>

To such an ambitious young man as Lyon the opportunities for improvement were exceptionally favorable. Litchfield, from an early day, was a place of great intellectual activity, and

<sup>a</sup>Rep. Men, Md. and D. C., p. 380.

<sup>b</sup>Sanderson's "Lives of the Signers."

<sup>c</sup>Foote's Sketches of Va., p. 263.

<sup>d</sup>"Life and Letters of General Thomas J. Jackson (Stonewall Jackson)," by his Wife, Mary Anna Jackson. New York: Harper Brothers. 1892, p. 2.

the home of many men of note. The first Law School in the United States was established there, and long before Judge Story's Harvard School came into existence, over one thousand lawyers had been trained at Litchfield by that excellent man, Judge Tapping Reeve, and his able coadjutor, Judge James Gould, author of the famous book on pleading. Among the number were Oliver Wolcott, Uriah Tracy, Horatio Seymour, the elder, Peter B. Porter and John C. Calhoun.<sup>a</sup>

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<sup>a</sup> Chief Justice Samuel Church, of Connecticut, in his interesting address at the Litchfield Centennial celebration in 1851, makes honorable mention of a great number of prominent men who had been students at the Law School in that place. It is a little singular that the name of John C. Calhoun is entirely omitted, although the address is replete with particulars of almost every other man of note who studied there. The reader can scarcely help thinking this was a studied omission, especially in view of the following inaccurate statement in the address: "Gen. Peter B. Porter was a graduate of Yale College and pursued the study of the law where so many of the noted men of the country have—at the Litchfield Law School. \* \* \* As a member of the House of Representatives, he was associated with Henry Clay on a committee to consider the causes of complaint against Great Britain, and drew up the report of that committee, recommending the declaration of the war of 1812," p. 65. Now John C. Calhoun, another graduate of Yale College and a student at the Litchfield Law School, was on this committee with General Porter, but his name is suppressed, although he and not General Porter wrote the report which Judge Church ascribes to the latter. Another misstatement by the orator was the naming of Henry Clay as a member of the committee, whereas he was Speaker of the House and of course not on the committee at all. The committee referred to was the committee on Foreign Relations of the House of Representatives. General Porter was named as chairman, but at the first meeting of the committee, Mr. Calhoun being absent, General Porter moved that Mr. Calhoun be made chairman, as he himself was about to retire from Congress, and the motion was unanimously carried. The members of the committee were Peter B. Porter, John C. Calhoun, Felix Grundy, John Randolph, of Roanoke, and Philip Barton Key. The report in question is published in "Calhoun's Works," Vol. V. In treating of so important an historical fact more accuracy on the part of Chief Justice Church was to have been expected.



"Even after Judge Gould's connection with the School," says Church, "an inspection of the catalogue will show that from it have gone out among the States of this Union a Vice-President of the United States, two Judges of the Supreme Court of the United States, forty Judges of the highest State Courts, thirteen Senators and forty-six Representatives in Congress, besides several Cabinet and Foreign Ministers."<sup>a</sup>

Litchfield, originally called the "wild Western lands," was settled later than several other Connecticut towns. It was long regarded as a mere sterile region of mountains and flinty rocks, the habitation of warlike bands of Indians, which settlers avoided. When the first pioneers ascended the steep Litchfield hills, they came with axes in hand, cutting away a space for their log cabins and meeting-houses, and, as a protection against the weather, covering them when put up with rived clapboards of oak.

They built stone fences about the clearings, and foddered their cattle on the snow, and slowly the nucleus of the famous town was formed. The distaff and spindle played a conspicuous part in their domestic economy, for like the queens of old, they "did spin with their hands," those staunch mothers and daughters of Litchfield.

"Behold,  
The ruddy damsel singeth at her wheel,  
While by her side the rustic lover sits."

The wedding suit is still growing on the backs of "individually remembered sheep"<sup>b</sup> when the bridal day approaches, and they are sheared, poor things, of their warm coats for the

<sup>a</sup>*Ibid.*

<sup>b</sup>"The Age of Homespun," by Rev. Horace Bushnell.

accommodation of the groom, and wrapped up and stitched in blankets to keep them from perishing with the cold.

And now, when young Lyon, tempest-tossed thus far in the journey of his short life, ascends the hills of Litchfield and sits down within its gates, a simple, primitive society is already formed there into which he is hospitably received, and where he is made to feel at home. In season came the apple-paring and quilting frolics, excursions to the mountain tops after the haying, and other summer sports. In winter gathered round the big fire-place the neighbors pass social evenings, and while the blazing logs throw out a ruddy light, doughnuts and cider and hickory nuts are brought out of the cupboard in order to season discourse with entertainment, and drive away the look of alarm which the deacon and spinster have caused to overcast the Puritan Arcadia by remarking upon "the great danger coming to sound morals from the multiplication of turnpikes and newspapers."<sup>a</sup>

Who is yon stripling cracking hickory nuts before the fire, and laughing so loudly at these dismal forebodings? Can it be Matthew Lyon, the future editor of the "Scourge of Aristocracy?"

Ere Litchfield was, two or three generations (succeeding the landing of the Pilgrims at Plymouth), had arisen, flourished and passed away. The stern Puritanism of the earlier days, such as Eaton and Davenport brought to New Haven, did not take root in the new settlement. The Blue Laws were relaxed. Surplices, organs, and table at the west end of the church were no longer abominations in the eyes and ears of the people. The penal statutes against Quakers, and proscriptive of prayer

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<sup>a</sup> "The Age of Homespun," by Rev. Horace Bushnell.

books and the observance of Christmas, were a dead letter in the town of Litchfield.

Nowhere else in New England did so liberal and tolerant a religious spirit prevail as in this county. The tone of feeling at Yale College had spread to the place, where a number of the alumni resided. Congregations worshipping with the liturgy of the Church of England were found on the same street with those of the Congregationalists, not only in Litchfield, but in Woodbury, Salisbury and other townships of the county. "Litchfield," President Dwight says, "is a handsome town. \* \* \* There are two congregations, a Presbyterian and an Episcopal. The latter has three churches."<sup>a</sup> Sometimes the Puritan dislike of Archbishop Laud, whom the early Puritans styled the "short horns of Anti-Christ," and of the ritualistic ceremonies of Episcopalian worship, would break out in Litchfield, and vent itself against members of the Church of England there; but the great body of the people frowned down this spirit, and kept persecution at a distance. "A more tolerant and of course a better spirit," Chief Justice Church says, "came with our fathers into this county, and it has ever since been producing here its legitimate effects, and in some degree has distinguished the character and the action of Litchfield county throughout its entire history."<sup>b</sup>

There was less of doctrinal subtlety and Old Testament metaphysics among its pastors than among the Plymouth clergy. The moderate spirit of Oliver Wolcott the younger, and Tapping Reeve and James Gould, offset the sterner Puritanism of Lyman Beecher and John Cotton Smith.

<sup>a</sup>"Dwight's Travels," Vol. II, p. 370.

<sup>b</sup>Church's Litchfield Centennial address.

Students from all of the Southern States, especially from South Carolina and Georgia, attended the Litchfield Law School, taking their place side by side, as a band of brothers, with their fellow students of the New England States. Sectional animosity had not yet effected a lodgment in the hearts of Americans.

The restless spirit of adventure which had accompanied the first settlers to Litchfield, impelling them into untried fields, began to shoot out in new directions several years before the Revolutionary war. The tide first turned to Vermont, which was largely settled by the sons of this county. In the border wars of the Green Mountain Boys with New York and New Hampshire, and in the questionable intrigue of some of the Vermonters with the British enemy during the closing years of the Revolution, it is said on respectable authority that the policy adopted by Vermont in each instance was inspired from Litchfield. But the intrigue with the British reflects no credit on any of the parties to it. If the scheme originated at the house of the elder Governor Wolcott, perhaps Chief Justice Church, the eulogist of Wolcott, was not aware when he made the revelation that the Continental Congress in 1780 declared that intrigue "subversive of the peace and welfare of the United States."<sup>a</sup>

It is often the case that the well kept secrets of one generation are inadvertently unearthed and brought to light by the chronicler of another generation, intent only on an individual narrative, and unconscious of the larger historical importance it may possess. The more recently published Haldimand correspondence, which discloses the secret negotia-

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<sup>a</sup> "De Puy's Green Mountain Boys," p. 409.

tions between the British and the Vermont leaders, does not connect the name of Wolcott with that Janus-faced diplomacy which so stirred the wrath of General Stark,\* and indeed of the people of Vermont themselves. An unsealed letter became the tell-tale witness, and the contrivers of the plot were put to their wit's end to appease the indignation it produced among the people. The letter contained an apology from the British commander, General St. Leger, for the killing of a Vermont soldier, Sergeant Tupper, by one of the enemy, in consequence, said St. Leger, of "my picket not knowing the situation."<sup>b</sup> Extraordinary apology! Was the war over between Vermont and Great Britain? General St. Leger buried the Vermonter with a suspicious display of respect, and sent back his effects to General Enos, the commander of the Vermont troops. The letter which he also sent fell into the wrong hands, the matter was brought before the legislative body, and the Green Mountain Boys scented treason in the air. The fine Machiavellian hand of Ira Allen was required to allay the rising storm.

"In her (Vermont's) dilemma, " says Church, "her most sagacious men resorted to the councils of their old friends of Litchfield county, and it is said that her final course was shaped, and her designs accomplished by the advice of a confidential council assembled at the house of Governor Wolcott in this village."<sup>c</sup>

Vermont has been claimed by some Connecticut writers as the child of Litchfield county. The principal founders of the

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\*Prof. James Davie Butler's address before Vermont Historical Society, 1846. "Vermont Historical Society," Vol. II, "Haldimand Papers."

<sup>b</sup> "Vermont Historical Gazetteer," Vol. I, p. 819.

<sup>c</sup> Church's Centennial address at Litchfield, 1851.

hardy little State emigrated from that county. Ethan Allen and his several brothers, as well as Thomas Chittenden, Seth Warner, Matthew Lyon, Remember Baker, the Galushas, Chipmans, and other Vermont magnates all hailed from Connecticut. Among these distinguished Litchfieldians, four became governors of Vermont, three senators in Congress, and several of them members of the House of Representatives, including in the last category the subject of this biography.

Of Matthew Lyon's marriage with Miss Hosford, four children were born, Ann, James, Pamela and Loraine, names given to them for members of the Allen family. Ann, the oldest child, married John Messenger, of Vermont. They emigrated to Kentucky in 1799, and Mrs. Messenger lived to be an octogenarian.\* James was sent by his father to Philadelphia and placed under charge of the illustrious Benjamin Franklin. Following in the footsteps of his father, he learned the trade of a printer. He returned to Vermont an active business man. During the latter years of his father's residence in that State James rendered him valuable assistance in conducting his newspaper, "The Farmer's Library," and his magazine called "The Scourge of Aristocracy;" also in managing his father's extensive iron works, mills and other interests at Fair Haven during the latter's absence in the State Legislature, and afterwards as a member of Congress. James Lyon, honored with the friendship and correspondence of Jefferson, subsequently became a citizen of South Carolina, where he died in 1824. Pamela married Dr. George Cadwell, of Hampton, New York, and removed to Kentucky with her husband and father. Loraine, the youngest child of Colonel Lyon's first mar-

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\* Letter of Mrs. Roe.

riage, also accompanied her father to Kentucky, but contracted a fever and died very soon after her arrival in Eddyville, at the age of seventeen. She was the first white person whose death occurred in the new settlement,<sup>a</sup> and her early demise proved a severe affliction to her father and other relatives.

According to the best authorities Ethan Allen, the oldest of the famous brothers, set out for the valley of Lake Champlain in the year 1766<sup>b</sup>. Ira Allen, the youngest brother, followed in 1771.<sup>c</sup> The latter went with Remember Baker to Onion river in 1772 to survey lands they had there purchased. Subsequently these settlers formed an association which was known as "The Onion River Land Company." The members were Ethan Allen, Remember Baker, Heman Allen, Zimri Allen and Ira Allen.<sup>d</sup> They purchased an immense tract embracing over 300,000 acres between Ferrisburgh and the Canada line, upon the Lake shore, which comprised the greater part of eleven townships. But the tide of war bore the settlers hither and thither during the Revolution. After the peace Ira Allen returned, and did much to develop the country, especially in the neighborhood of Winooski Falls.

These pioneers were soon followed by many of their former neighbors in Connecticut. Benning Wentworth, Governor of

<sup>a</sup> Mrs. Roe's letter.

<sup>b</sup> "Vermont Historical Magazine," Vol. I, p. 561.

<sup>c</sup> *Ibid*, Vol. I, p. 770.

<sup>d</sup> Bennington was granted in the year 1749 by Benning Wentworth, Governor of New Hampshire, and from him received its name. In 1764 Captain Robinson, a respectable inhabitant of Hardwick in the Province of Massachusetts Bay, having purchased a tract of land, began the settlement of Vermont, on the western side of the Green Mountains in this place. He was soon followed by a number of planters: and the township was filled up with great rapidity."—*Dwight's Travels*, II, 402-3.

New Hampshire, had discovered a rich placer in the country west of the Green Mountains, and for many years he was in the habit of issuing patents or grants of land in the Valley of Lake Champlain, from the proceeds of which land speculations he amassed a large fortune. Hence the name of New Hampshire Grants. Settlers flocked in from Massachusetts, New Hampshire, and especially from Connecticut.

Among these early pioneers came Thomas Chittenden, from Salisbury, Connecticut, destined to be the first and most famous Governor of Vermont; and Matthew Lyon, from Litchfield, whose services to the State were only second in importance to those of Chittenden, of the two Allens, and of Seth Warner; and whose achievements in the wider sphere of the National House of Representatives were greater than those of any of the early Vermonters. The annals of the country would be incomplete without a narrative of the part taken by this born leader of men during the administrations of Adams, Jefferson and Madison. It is not surprising that Mr. Wharton in his valuable work, "The State Trials of the United States," should call attention to the want of a biography of Matthew Lyon as a deficiency in American literature.

A pioneer by nature, Lyon rejoiced in frontier life, and took as much delight as Daniel Boone himself in threading the solitude of the trackless forest. But while Boone remained always a forester, Lyon was both forester and statesman, at home in the wilds on Lake Champlain and the forests of Kentucky, and distinguished as a debater and originator of sound measures in Congress. He was captivated by the glowing accounts sent back to Connecticut by the advance guard in Vermont.

The country in fact deserved the praise lavished on it by the land speculators. It had remained a wilderness ever since 1609, when the celebrated Samuel Champlain, Father of New



France, discovered the lake which bears his name, and rashly participated with the Algonquins in that famous battle with the Iroquois, which, from the mighty results traceable directly to it as a cause, deserves to be ranked, not as an insignificant skirmish between a handful of savages, but rather as one of the decisive battles of the world. From that day forth the Iroquois hated the name of a Frenchman, and the powerful Confederacy of the Five Nations did more to drive France from the new world than was accomplished in the same direction by the arms of England on the Heights of Abraham, when Wolfe fell in the arms of victory, and Montcalm closed his illustrious career in defeat. Middle space between the territories of fierce Iroquois and Algonquins, and afterward between New France and New England, scarcely less savage in their wars with each other than the Indians, the Valley of Lake Champlain was the dark and bloody ground of colonial history. Its solitude was unbroken save by the crack of the rifle, or the war-whoop of the savage as his tomahawk descended on his victim. "Every rustle of a shaken leaf"—even after the New England settlers began to arrive—"seemed an Indian tread; every tree an Indian covert; every window a mark for his rifle."<sup>a</sup>

Matthew Lyon read with admiration of this magnificent valley, and its Green Mountains dedicated from the dawn of creation to the sublime and beautiful in nature; how the territory just reclaimed from the savages was opened up to the uses of civilized man; how its lakes and rivers were shaded by forests of pine, elm and chestnut; the uplands timbered with a luxuriant growth of maple, beech and birch; and the mountains, lifting their peaks among the clouds, were covered from base to sky-piercing summit in a tropical mantle of evergreens.

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<sup>a</sup> Prof. James Davie Butler's address before Vermont Historical Society, 1846.

Moose, deer, otter, beaver, and other animals supplied the hunter with game; and the lakes, rivers and smaller streams were replenished with fish of good quality and in great variety.

In the spring of 1774 Lyon and his family bade friends in Litchfield adieu, and set out for the new country across the Green Mountains. Strange to say, no writer appears to be informed of the precise time of his arrival in Vermont. But the date is fixed by the Colonel himself in the brief narrative of his career in Connecticut and Vermont which he recounted in 1798 on the floor of Congress. This narrative, and the letters and documents placed in the hands of the present writer by his descendants, conclusively show that he went to Vermont during the same spring that Thomas Chittenden emigrated. It is not unlikely that Thomas Chittenden, Matthew Lyon and Jonathan Spafford, with their several families, formed part of one emigrant train. Governor Chittenden set out in the month of May, 1774.<sup>a</sup> In Mr. John Strong's graphic sketch of Addison, Vermont, it is said some of the early Litchfield emigrants took the route through Albany across the Hudson to Fort Gurney, and thence through Lake George to Ticonderoga, and down Lake Champlain to their respective destinations.<sup>b</sup> But it is believed Chittenden and Lyon carried in their train household wares and farming utensils, and it is, therefore, more probable their route was northward through Goshen, Cornwall, and Canaan, Connecticut, across the line into Massachusetts, and thence through Sheffield, "delightfully romantic Stockbridge," and Williamstown, famous for its College, Alma Mater of President Garfield, whence they passed the

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<sup>a</sup> Hon. David Read in "Vermont Historical Magazine," Vol. I.

<sup>b</sup> Strong's sketch, *Ibid*, Vol. I, p. 7.

border into Vermont. Fourteen miles beyond the Massachusetts line lies Bennington. Thence to Wallingford, via Manchester, the pioneers took their way. At this point Matthew Lyon stopped, made his pitch of lares and penates, and looked round on earth, sky and lake, horizon of his first home in the wilderness. Bidding God speed to his fellow-travelers, he beheld the hardy pioneers as they moved off, no doubt on his side with sorrowful heart, for Thomas Chittenden, destined to become his father-in-law at a later date, was one of those rugged captains and noble souls in life's battle whose conversation was a joy to all who were brought into his society. Wallingford, Lyon's first abode in the Hampshire Grants, is situated on Otter Creek in the southeastern section of Rutland county, between thirty and forty miles from Ticonderoga. After parting company with Lyon, Thomas Chittenden and his fellow pioneers continued the journey to Ticonderoga, and thence down Lake Champlain to Onion or Winooski river, and up that river to Williston, a spot of wonderful beauty, sixty or seventy miles further north than where Lyon and his little family had pitched their tents.

The celebrated President Dwight, of Yale College, was in the habit of spending vacations in traveling through New England and New York. He visited Vermont several times, and has left graphic pictures of the Green Mountains and of the Valley of Lake Champlain. His sketches of the hardy race of men who settled the country are drawn in colors much less bright. He took notes and collected materials during his journeys for a book which was published in four volumes, his well-known "Travels in New England and New York." Such is the uncertain fate of literary efforts, that Dr. Dwight, who

spent a lifetime in writing that ponderous work "Theology Explained and Defended," besides hundreds of sermons and long ambitious poems, as the solid edifice upon which his fame might rest, is now best remembered by the production of his leisure hours, written perhaps as a relief from more exhausting occupations. What he prized most, and fondly thought would win immortality, has become nearly obsolete, while his modest book of travels has not only made his name famous in the world of letters, but deservedly ranks as an American classic. It is chaste in style, eloquent in descriptions of natural scenery, and valuable to the historical student as an animated picture of the manners, customs and modes of life in New England and New York nearly a century ago. In a review of this work Robert Southey said: "The work before us, though the humblest in its pretences, is the most important of his writings, and will derive additional value from time, whatever may become of his poetry and of his sermons."<sup>a</sup> "He has done more," Chancellor Kent said, "than any other person to explain and recommend to the respect of mankind, the wisdom of the institutions of New England, and the progress of her settlements, her geography, her history and her biography."<sup>b</sup>

Dr. Dwight was the greatest, as well as the most delightful, of the New England schoolmasters. Had Daniel Webster enjoyed the inestimable advantage of his instructions, the Jupiter Tonans of American eloquence might have boasted, as Alexander the Great said of Aristotle, that the wisest of his countrymen had been his instructor. But Dr. Dwight had for pupil John C. Calhoun, and moulded the plastic genius of the

<sup>a</sup> Robert Southey in "London Quarterly Review," Vol. XXX, p. 1.

<sup>b</sup> Kent's address before the Phi Beta Kappa Society, New Haven, 1831.

South Carolina prodigy with consummate art, and a parental fondness born of admiration of his pupil's shining parts. "That young man," he said one day to a friend, "has talents enough to be President of the United States."<sup>a</sup>

In the year 1798 Dr. Dwight visited Wallingford, Vermont, the home of Matthew Lyon in the new settlement from 1774 to 1777. He also visited Fair Haven, the flourishing little town of which Colonel Lyon was the founder and most distinguished citizen. Extending his journey the Doctor, at a later day, visited the plantation of Governor Chittenden in Williston. He gives us glimpses of these places.

"Thursday, September 26 (1798), we rode to Rutland before dinner, twenty miles. Our journey lay along the principal branch of Otter Creek. The mountain on the west having terminated in Wallingford, we escaped from our defile into an open and more agreeable country. Wallingford contained in 1790, 536; in 1800, 912; in 1810, 1,316 inhabitants."<sup>b</sup> During this trip the Doctor's morality suffered a shock at one of these towns, name not given in the text. "We lodged at an inn, where we found, what I never before saw in New England, a considerable number of men assembled on Saturday evening, for the ordinary purposes of tavern-haunting. They continued their orgies until near two o'clock in the morning, scarcely permitting us to sleep at all. Early the next morning, these wretches assembled again for their Sunday morning dram, when we left the inn and went to a neighboring house as early as possible, disgusted with the manners of so irreligious a family."<sup>c</sup>

<sup>a</sup>R. M. T. Hunter's "Life of Calhoun, 1843," p. 6.

<sup>b</sup>"Dwight's Travels," Vol. II, pp. 410-11.

<sup>c</sup>*Ibid*, Vol. II, p. 411.

The Doctor's Puritan zeal bristles up at any comparison between Connecticut and Vermont. "I shall further be told, perhaps," exclaims the good Timothy, like some haughty old Athenian waving away from the Parthenon garish maidens of Chios or Rhodes, "that the inhabitants of Vermont are, in a great proportion, either such as were originally citizens of Connecticut, or children of those citizens." But the schoolman is ready with his distinction: "The men who originated the policy of Connecticut were a very different class of human beings from those who formed the system of Vermont. Intelligence and piety flourished under the fostering care of those who founded Connecticut. They are growing up in Vermont in spite of these founders."<sup>a</sup> It may be doubted, however, malgré the learned Doctor, whether Vermont was less fortunate than the land of Steady Habits for being free of the Blue Laws. "Wednesday, October 3d," he says, "we left West Haven, and rode through Fair Haven. \* \* \* Most of the road was tolerably good. Fair Haven is geneally a rough, disagreeable township. The only exception to this remark, within our view, was on its southern limit along Pulteney river, where there is a small tract of handsome intervals. The only cheerful object which met our view before we reached the river was a collection of very busy mills and other waterworks." These mills and waterworks were the property of Matthew Lyon, but the Puritan saint does not condescend to name the Democratic sinner. Matthew about that time was in jail as a Republican incorrigible. "Fair Haven, in 1790, included West Haven, and contained 545 inhabitants;

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<sup>a</sup> *Ibid*, Vol. II, p. 473.

in 1800, there were in Fair Haven 411, and in 1810, 645. Both of these townships are small."<sup>a</sup>

In the year 1806 the Doctor made another tour through Vermont, and gives us a glimpse of Governor Chittenden's settlement. "In Jericho we passed by a beautiful plantation, formerly the property of Governor Chittenden, now of Major-General Chittenden, one of the members of the American Congress."<sup>b</sup> This Major-General was Martin Chittenden, brother-in-law of Matthew Lyon by his second marriage, and his close friend. In one of Lyon's letters to President Josiah Quincy, of Harvard University, another of his intimate friends, he concludes by saying: "Give my respects to my friends, and assure them I have not forgotten them. I write by this mail to my brother Chittenden, and shall not repeat to him what I have said to you. With affectionate regard, I am,

"Truly Your Friend,

"M. LYON."

President Quincy and General Chittenden were then in Congress, 1812, and Colonel Lyon was in Kentucky.

"Onion river," Dr. Dwight says, "furnishes several romantic scenes. \* \* \* The estate of Hon. Mr. Chittenden is the most beautiful spot on its banks; and probably one of the most fertile in the American Union. To a person satisfied with rural solitude it must be a charming residence."<sup>c</sup> This romantic spot was the home in her girlhood of Beulah Chittenden, second wife of Matthew Lyon.

But while Dr. Dwight gives an interesting account of the infant settlement of the Hampshire Grants, it cannot be re-

<sup>a</sup>*Ibid.*, Vol. II, p. 455.

<sup>b</sup>*Ibid.*, Vol. II, p. 429.

<sup>c</sup>"Dwight's Travels," Vol. II, p. 433.

garded as an impartial one. This eminent scholar had the fault, sometimes found among persons with set ideas, of not thinking as well of their neighbors as they might. Ethan Allen was one of his inveterate aversions. For all Frenchmen the good Doctor's dislike was still more marked. Of the hero of Ticonderoga he thus speaks:

"This man was born at Salisbury, in Connecticut. His education was confined, and furnished him with a mere smattering of knowledge. \* \* \* Licentious in his disposition, he was impatient of the restraints either of government or religion, and not always submissive to those of common decency. \* \* \* A little circle of loose persons will always gather about a man of this description. Allen was surrounded by a herd of such men. \* \* \* At length he determined to become an instructor of the public. This was a fatal step. He neither understood the subject, nor knew how to write. \* \* \* He named his book the 'Oracles of Reason,' after a wretched publication of Charles Blount, one of the pertest and weakest of all the British infidels, but probably Allen's favorite author, and not improbably the only one whose works he had read. This was the first formal publication in the United States openly directed against the Christian religion. When it came out I read as much of it as I could summon patience to read. Decent nonsense may probably amuse an idle hour; but brutal nonsense can be only read as an infliction of penal justice. The style was crude and vulgar; and the sentiments were coarser than the style. The arguments were flimsy and unmeaning, and the conclusions were fastened upon the premises by mere force."<sup>a</sup>

The Doctor names Salisbury as Ethan Allen's birthplace. But Ancient Woodbury, Litchfield, and other places have also

<sup>a</sup> "Dwight's Travels," Vol. II, pp. 406-7.



aimed the same honor. "He was a native of this county," says Chief Justice Church in his Litchfield Centennial address; but he, too, must have his fling at the old hero, for he tells us: "The town of his nativity has been a matter of dispute, but it is not a question worth solving." If Ethan Allen was "licentious in his disposition," Dr. Dwight should have furnished proof of so grave a charge. His ingenuous nature rendered his life like an open book, but nowhere is licentiousness nor a violation of the "restraints of common decency" to be found in the acts of Ethan Allen. "The herd of loose persons," with whom the Doctor contemptuously surrounded him, were the Green Mountain Boys, rough foresters, it is true, but so were the Spartans of antiquity; so were the inhabitants of the Swiss Cantons in the age of William Tell; and so were many of the early American Colonists—those "embattled farmers" whose valor contributed chiefly to the independence of the United States. The services of the Green Mountain Boys were freely and effectively rendered in the Revolution. Seth Warner was one of the persons that surrounded Allen, and indeed was his own cousin. Warner's services at the battle of Bennington have placed his name with that of the hero of the victory, General Stark, in the first rank of the soldiers of the Revolution. Such a man deserved better requital than to be classed opprobriously among a "herd of loose persons." Matthew Lyon was another of the associates of Ethan Allen, having married his niece, and Lyon was neither a roysterer nor "tavern-haunter," but a strictly sober and highly intellectual man.\*

Allen's infidelity deserved censure, and Dr. Dwight is not too severe on his quixotic "Oracles of Reason," over which happily the veil of oblivion has long since fallen. The Doctor is perhaps mistaken in ascribing to Charles Blount the respon-

\*Letter of Mr. F. A. Wilson, of Kentucky.

sibility for his theological vagaries. Allen's model was Thomas Young, the Philadelphia sceptic. They were acquaintances and correspondents, and Allen was a close reader of Young's infidel publications.

Even the glorious achievement of this whirlwind of a man in capturing Ticonderoga is slightly dismissed by Dr. Dwight. "In the bustling part of the American Revolution," he says, "Colonel Allen made some noise." Was there a quiet part? Is bustle or noise out of place in a revolution? Who has heard of that paradox in resounding war? A cold recital of the facts of such a soul-stirring achievement of American valor as the capture of Ticonderoga, premised by a paradox is all that the hero of such an enterprise receives at the hands of the Yale philosopher.

Dr. Dwight is equally severe on the State government. The town of Vergennes was founded by Ethan Allen, and received its name from him as a tribute to the Count de Vergennes, "whom," says the Doctor, "ardent, uninformed and short-sighted Americans at that time believed to be a friend of this country."

Whether on account of its French name, or other equally repellent cause, the Doctor conceived an antipathy for the place. "A traveler," he says, "is compelled to laugh at this freak of Colonel Allen. \* \* \* Vergennes was indeed intended for the seat of government, and so are half a dozen other places. Whether any of them will ever become what they so ardently covet; whether there will be a seat of government in the State, or whether the Legislature will continue to roll on wheels from town to town, as they have hitherto done; no human foresight can determine. The Legislature itself has

been at least equally freakish with the projector of this city; and seems at present little more inclined to settle than any other bird of passage."<sup>a</sup>

Vermont and Vermonters had evidently fallen from Dr. Dwight's good graces. A better acquaintance with their history, their struggles, privations, and final success in establishing their State might have softened the Doctor's splenetic temper, and saved him from the utterance of many things about them that were ungracious, and of some things that were not just. A single further extract will serve to illustrate his acerbity in writing about the early settlers of Vermont. "A considerable number," he writes, "of those who first claimed and acquired influence in the State of Vermont during its early periods, were men of loose principles and loose morals. They were either professed infidels, Universalists, or persons who exhibited the morals of these two classes of mankind. We cannot expect, therefore, to find the public measures of Vermont distinguished at that time by any peculiar proofs of integrity or justice."<sup>b</sup>

After these animadversions so unexpected from such a writer, it is reassuring to be told in conclusion that "the religious, and of course the moral, state of Vermont is improving."<sup>c</sup>

Not thus speaks the American Goldsmith, Washington Irving, of the leader of the Green Mountain Boys. After referring to the border strifes between Yorkers and the inhabitants of the Hampshire Grants, down to the period of the Revolution, Washington Irving says: "Thus Ethan Allen was becoming a

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<sup>a</sup>"Dwight's Travels," Vol. II, p. 421.

<sup>b</sup>*Ibid.*, Vol. II, p. 471.

<sup>c</sup>*Ibid.*, Vol. II, p. 474.

kind of Robin Hood among the mountains when the present crisis changed the relative position of things as if by magic. Ethan Allen at once stepped forward a patriot, and volunteered with his Green Mountain Boys to serve in the popular cause. He was well fitted for the enterprise in question by his experience as a frontier champion, his robustness of mind and body, and his fearless spirit. He had a kind of rough eloquence also that was very effective with his followers. 'His style,' says one, who knew him personally, 'was a singular compound of local barbarisms, scriptural phrases, and oriental wildness; and though unclassic and sometimes ungrammatical, was highly animated and forcible.'"<sup>a</sup>

After Ethan Allen came back from captivity, he visited General Washington at Valley Forge, and was received by the Father of his Country with distinguished marks of attention. So much interest did Washington feel in him that he sought preferment for Allen in the Continental Army, and wrote a strong letter on the subject to the President of Congress, an unusual step for him to take in behalf of any one. "His fortitude and firmness," he wrote, "seem to have placed him out of the reach of misfortune. There is an original something about him that commands admiration, and his long captivity and sufferings have only served to increase if possible his enthusiastic zeal. He appears very desirous of rendering his services to the States, and of being employed; and at the same time he does not discover any ambition for high rank."<sup>b</sup>

Timothy Dwight's opinion of Ethan Allen evidently was not shared by George Washington, or Washington Irving.

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<sup>a</sup> Irving's "Life of Washington," Vol. I, pp. 404-5.

<sup>b</sup> *Ibid.*, Vol. III, p. 378.

Of the French the Doctor spoke with still greater acrimony than of Ethan Allen or of the Green Mountain Boys. But it should be remembered he was a Federalist in politics, and these unlooked for explosions of wrath on the part of a man distinguished at other times for gentleness of disposition and urbanity of manners, may be attributed rather to party excitement than to a purpose to treat others unfairly.

What Dr. Dwight says in relation to the French setting up unfounded claims to the country along Lake Champlain is not supported by history or public law. Samuel Champlain discovered Lake Champlain on the 4th of July, 1609, and pushed his explorations as far south as Ticonderoga and Lake George, four years before the Dutch settled New York, and eleven years before the Pilgrims landed at Plymouth. By the laws of nations, universally recognized, the discovery of lands in the new world vested undisputed title to those lands in the nation under the authority of which the discoverer had set out.

If Dr. Dwight's strictures on Ethan Allen are met by the conflicting testimony of General Washington, his animadversions upon the French are confronted by the same high authority. In a letter to Colonel Laurens, sent out as Special American Envoy to France to solicit assistance in the crisis of the Revolution, Washington said: "This country has been brought to a crisis which renders immediate, efficacious assistance from abroad indispensable to its safety. It is impossible to extricate ourselves from our embarrassments. There is an absolute necessity of speedy and ample relief, a relief not within the compass of our means."<sup>6</sup> He also wrote to Dr. Franklin, then American Minister to France, and said: "The opposition

<sup>6</sup>Diplomatic Correspondence Am. Rev. IX, 211. Sparks's Writings of Washington VII. 370.

of America to England must soon cease, if our allies cannot afford us that effectual aid, particularly in money and in a naval superiority, which is now solicited."<sup>a</sup> In another and still more urgent letter Washington declared: "If France delays a powerful and timely aid in this critical posture of our affairs, it will avail us nothing that she attempt it hereafter. In a word, we are at the end of our tether, and now or never our deliverance must come."<sup>b</sup>

And it did come, though Dr. Dwight seemed to have forgotten it. France sent us ten thousand men, a powerful fleet, and eight millions of money, and with this timely aid the Revolution was closed at Yorktown in victory. When the intelligence of Cornwallis's surrender reached Europe, France went wild with joyous acclamations, and Paris was illuminated for three nights in succession. Salutes of guns, bonfires, and civic and military processions witnessed the enthusiasm that welled up from the hearts of the French people in every city and town in the kingdom.

But Dr. Dwight's mind was evidently warped by the peculiar religious opinions of which he was the ablest expounder in his day. Could he only have emancipated his great intellectual powers from such a thralldom, and viewed the events and persons he so eloquently portrays, as a philosopher and as a statesman, he would have done more justice to the patriotic services of the Green Mountain Boys and their intrepid leaders, and recognized in Matthew Lyon the extraordinary ability which, as I shall show in subsequent chapters, raised him to eminence, and entitled him to the gratitude of posterity.

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<sup>a</sup>The Writings of Washington, VII, pp. 379, etc.

<sup>b</sup>*Ibid.* Dip. Cor. Am. Rev.

## CHAPTER III.

HAMPSHIRE GRANTS CONTROVERSY — ETHAN ALLEN TAKES TICONDEROGA — LYON IN THE STORMING PARTY — NEXT SEES SERVICE IN CANADA UNDER SETH WARNER — THE JERICHO AFFAIR — RETREAT FROM TICONDEROGA — AMERICAN DEFEAT AT HUBBARDTON — LYON GUIDES ST. CLAIR SAFELY TO HUDSON RIVER.

**I**N the spring of 1774 Lyon purchased lands in the township of Wallingford, Vermont, afterwards known as Lyon's plantation, and took up his residence upon this purchase situated about thirty miles from Ticonderoga.<sup>a</sup> In Hiland Hall's "Early History of Vermont," that author mentions a patent for 32,000 acres of land in the townships of Clarendon and Wallingford issued by Governor Tryon, of New York, to Benjamin Spencer, of Durham, on the 7th of January, 1772. But Mr. Hall was in error. There was no New York patent in 1772 for land in Wallingford. In a letter to Lord Dartmouth, dated New York, July 1, 1773, Governor Tryon says: "There are fifteen townships granted by New Hampshire, and which have been confirmed by New York,"<sup>b</sup> and "that there are one hundred and fourteen townships of six miles square granted by New Hampshire besides those fifteen which have been confirmed by New York."<sup>c</sup> The fifteen townships are enumerated,

<sup>a</sup> Vermont Historical Society Collections, Vol. I, p. 16.

<sup>b</sup> Doct. Hist. N. Y., Vol. IV, p. 506.

<sup>c</sup> *Ibid*, Vol. IV, p. 507.

and Wallingford is not one of them; but directly following is another list of twelve, prefaced by the following remark: "Townships for which confirmations have not issued, altho' long since advised to be granted." In this list appears the name of Wallingford.<sup>a</sup>

Title by intrusion or occupancy, or what a celebrated son of Vermont of a later age, Senator Stephen A. Douglas, called "Squatter Sovereignty," was the best title many early settlers could boast. To this class belonged one Scott, the first comer in Wallingford,<sup>b</sup> whose rude log cabin is described in verse by Tom Rowley, the Shoreham bard, writer of unpremeditated homely lays which stirred the hearts of the Green Mountain Boys only less deeply than the wild eloquence of Ethan Allen.

Abraham Jackson, commonly called the Deacon, was a contemporary of Lyon, arriving at Wallingford some months before him, being the first legal settler under a Hampshire Grants patent. But John Hopkins, of Salem, New York, whose piety was once so scandalized by a profane laborer that he drove him out of the field with a pitchfork, preceded Jackson by nearly three years, having his home on West Hill. The Ives family were well represented in primitive Wallingford, Abraham Ives, Lent Ives and Nathaniel Ives being contemporaries and neighbors of Matthew Lyon. Daniel and Benjamin Bradley, and Joseph Randall and Joseph Jackson also figured among the early settlers of the town. A particular friend of Matthew Lyon lived in the next township. This was Rev. Bethuel Chittenden, of St. Stephen's parish, in Tinmouth, brother of the Governor. Here, too, were found at that day Vermont pio-

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<sup>a</sup> *Ibid*, p. 477.

<sup>b</sup> V. H. M., Vol. III.



neers whose names are handed down among the pillars of the infant State. Samuel Mattocks, Stephen Royce, Elisha Clark and Samuel Chipman, to mention no more, were there to spread the salt of Puritan virtue in the wilderness, and to reclaim it from savage occupation. The last named, Samuel Chipman, was an honest blacksmith, whose famous son, Nathaniel Chipman, became a judge and senator of renown. He was in frequent rivalry in politics with Matthew Lyon, and once had a sharp personal collision with him, Chipman being as uncompromising a Federalist as Lyon was a stern Democrat. A daughter of the Nathaniel Ives here mentioned, Mrs. Melinda Chatterton, survived almost to the present age, dying in 1867, in her 97th year; although a daughter of Matthew Lyon, Mrs. Eliza A. Roe, widow of Rev. John Roe, of Illinois, died twenty years later, in 1887. If Mrs. Chatterton was a delightful reminiscent of early Wallingford, counting her long years by taking a journey back in memory "to the doorless and hearthless log house by the Roaring Brook" which meanders through the village,<sup>a</sup> Mrs. Roe, with the ready pen of an author and a marvellous recollection of the stirring historic events in her father's life, furnished the present writer with particulars concerning Matthew Lyon which the world would never have known of but for that estimable old lady.<sup>b</sup>

Mr. Joel C. Baker, of Rutland, one of the speakers at the Wallingford centennial celebration which took place in 1873,

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<sup>a</sup>V. H. M., Vol. III, p. 1174.

<sup>b</sup>Two books written by Mrs. Roe are in the author's possession. "Aunt Leanna or Early Scenes in Kentucky," Chicago, published for the author, 1855, and "Recollections of Frontier Life," Rockford, Illinois, Gazette Publishing House, 1885.

selected for his theme the life and public services of **Matthew Lyon**, "who," as we are told by Rev. H. H. **Saunderson**, "for a time had been a citizen of Wallingford."<sup>a</sup>

Like the titles of most of his neighbors, Lyon's title to his homestead in the town was acquired under a charter issued in 1761 by the royal governor of New Hampshire, **Benning Wentworth**. Many New York officials, including several pre-revolutionary governors, had become personally interested in Vermont lands and granted them not only to civilians but to soldiers of the old French war, a brisk business having been carried on in lands on the west side of the Green Mountains, especially in these military grants. The patentees were mostly foreigners who went back to Europe after the treaty of Paris, and for trifling sums assigned their patents before departure to the officials who issued them. The latter were determined to profit by the speculation. In this way the seeds were sown of the celebrated Hampshire Grants controversy.

Governor Colden's greed and Ethan Allen's pugnacity were aroused, farmers and land-jobbers were in conflict, and Puritan and Patroon were "miching mallecho," and reviving a vendetta almost as fierce as that between ancient Iroquois and Algonquin along the shores of Lake Champlain.

It has been asserted by several writers that Vermont had the roughest experience of all the struggling Colonies. It would be nearer the truth to say that Vermont was the most fortunate one of them all. A combination of peculiar circumstances produced this result. (1) It was fortunate in its gallant and hardy defenders, although Yorkers called Ethan Allen **another Robin Hood**, and offered a reward for his head; (2)

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<sup>a</sup> V. H. M., Vol. III, p. 1183.

fortunate in its perilous situation midway between Canada and the United States, for out of the "nettle danger to pluck this flower safety" was rendered comparatively easy by the rivalry of the two great powers; (3) fortunate even in the number of its foes, as Massachusetts, New Hampshire,\* New York and British America each sought in opposition to the others to capture the prize for itself; (4) fortunate in freedom from the burden of debt and taxation under which for the twelve years of the Confederation the thirteen States suffered and groaned; (5) finally, with the wrath of the United States provoked by the Haldimand Intrigue, which many to this day style incipient treason, and with American peace and independence established, and New York, Massachusetts and New Hampshire left free to deal with the Green Mountain Boys and dismember and divide up their portion among themselves, even then the supreme good fortune of Vermont placed the defiant little rebel against both England and the United States upon a more solid and enduring foundation than ever before.

The balance of power in the American Union was already in 1791 looming up between North and South, a gaunt spectre, which finally, seventy years later, in 1861, overshadowed and involved the land in frightful war and slaughter. Alexander Hamilton perceived the necessity of a check to southern preponderance likely to follow the admission of Kentucky into the Union, and thus New York, an ancient enemy, furnished the master spirit to champion the cause of Vermont, and secure its admission likewise as a free and independent State.

Was she not fortune's favorite child, this mountain commonwealth, when all influences, whether internal and friendly,

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\*New Hampshire Petition, Doct. Hist. N. Y., Vol. IV, pp. 412-13.

or external and unfriendly, conspired as though by manifest destiny to propel her forward into the charmed circle of the Confederacy?<sup>a</sup>

It is singular that no one should have yet written a full and satisfactory account of the Hampshire Grants controversy.<sup>b</sup> The dispute extended over a period of forty years. To Benning Wentworth the grants were a rich source of revenue. After he had made a fortune out of them, he turned over the dispute to the grantees, and Yorkers and Green Mountain Boys soon came to blows and were long in armed antagonism. Governor Tryon issued doughty proclamations fixing a price on Allen's head, and Allen retorted with counter proclamations of outlawry against his New York enemies. Now some myrmidon of the Albany officials seizes and brings in an unwary

<sup>a</sup>In his address at the dedication of the monument to Nathaniel Chipman at Tinmouth, Vermont, October 3, 1873, Hon. E. P. Walton, of Montpelier, said: "Chipman was anxious for the adoption of the Federal Constitution and the admission of Vermont to the Union, but he believed that this would strip multitudes of Vermonters of their possessions, as the ultimate decision of their land-titles would fall to the United States courts. At the same time Hamilton feared that the requisite number of States might not be secured for the adoption of the Federal Constitution, and he therefore desired the vote of Vermont. Still further, he looked to the selection of New York city as the capital of the Union, and hoped to strengthen the chances for success by the aid of Vermont. It was obvious to both that Chittenden and his friends, who ruled Vermont" (one of the foremost of these friends of Governor Chittenden was his son-in-law Matthew Lyon), "would never join the Federal Union if it was to be at the sacrifice of a large portion of the people. The only possible solution of the difficulties which baffled Chipman and Hamilton was to remove the claim of the New York grantees to lands in Vermont by buying them out. And thus the controversy was settled, at a cheap price, \$30,000, to Vermont, and a large loss to the New York grantees." *Vermont Historical Magazine*, Vol. III, p. 1158.

<sup>b</sup> Prof. J. D. Butler's 1846 Address before the Vt. Hist. Soc.

Green Mountain Boy; straightway Allen retaliates by seizing the first Yorker and subjecting him to "a castigation with the twigs of the wilderness." Appeals were made to the mother country to settle the dispute, but owing to the greed of land speculators on both sides, and the vacillating and selfish policy of the English Board of Trade, predatory border war continued for years, and the dispute promised to be as interminable as the similar Schleswig-Holstein dispute in more recent European history. Then came the American revolution to swallow up everything else in colonial life except the Hampshire Grants controversy which, although postponed in presence of the grander struggle, still survived in undiminished vigor. The Confederation was formed and after twelve years gave place to the present happy Constitution, and still the fight went on in the Hampshire Grants. The Federal Government was two years of age, and that sphinx of the Green Mountains remained as defiant and vexatious as ever. When it came to an end at last, as sooner or later even a sphinx must do, it took its quietus by compromise and dropped from view unsolved.

The history of this remarkable conflict well deserves a historian. The national historians, Bancroft and Hildreth, pass it over with a few hurried sentences. James Duane, one of the early Mayors of New York city, in his pamphlet entitled "A State of the Right of the Colony of New York with respect to its Eastern Boundary;" Henry B. Dawson, in his "Historical Magazine," and a few other New York writers have contributed interesting but partisan views upon the subject. On the other side Ethan Allen in his "Brief Narrative," Ira Allen and Dr. Williams in their histories of Vermont, and Hiland Hall in his "Early History" of the same State, and some

others, have entered the lists against the New York writers, and presented to the world ingenious pleas for Vermont. But these controversial books and essays cannot be accepted as impartial by the serious student of American history. Perhaps the nearest approach on this subject, to what is yet a desideratum in the historical literature of the country, is to be found in the "Life of Ethan Allen" by Jared Sparks. The materials were rather scant, and many important facts since brought to light were not yet accessible when Mr. Sparks wrote. It must be added that he shows a considerable bias in favor of the Green Mountain Boys, but perhaps on the whole his book contains the most satisfactory discussion of the origin and history of the Hampshire Grants controversy which has been published.

A memoir of Matthew Lyon, although he was one of the leaders in the struggle, affords neither proper space nor opportunity for an investigation of this interesting chapter of American history. A hint or two on the subject must here suffice, and indeed is necessary to elucidate some events in Colonel Lyon's career at this period.

Which of the contending parties was right, and which wrong in the doughty provincial war? Or was the right or wrong of the matter clearly with neither side? Let impartial students, to whom the question really belongs, examine and decide. In a nutshell the whole inquiry hinges on the proper answer to a single question:

Were the boundaries claimed by Massachusetts under the Devon Charter actually granted to that Colony by James the First; or were the boundaries of New Netherland claimed by New York actually granted by the Charter of Charles the

Second to his brother the Duke of York? That is the crucial question of the whole controversy.

While New Hampshire and the Green Mountain Boys were involved in dispute with New York, the contention of Benning Wentworth was that New Hampshire had an extension of the same western limits as Connecticut and Massachusetts. He made the mistake of treating the Connecticut line as though prescribed by a British charter. Such, however, was not the fact. That line was the result of an agreement entered into with New York in 1684, and hence the question is narrowed, as here stated, to Massachusetts and New York.

The Charter of Charles the Second to the Duke of York, March 12, 1664, comprehended the same eastern boundary, namely, the west bank of the Connecticut river, as was confirmed to New York by the decree of George the Third in 1764, just one century later. That grant was never annulled, and the territory now known as the State of Vermont was embraced within the chartered limits of New York. But equitable rights are sometimes merged in adverse possession. The greed of Albany officials alienated the sympathies of the British ministry, and the utterances not only of the Board of Trade but of the King himself, began to betray sympathy with the Green Mountain Boys. On the other hand, Benning Wentworth, Governor of New Hampshire, had an itching palm quite equal to that of Governor Colden, of New York, and between the years 1749 and 1764 the former had issued patents for 130 townships in the Hampshire Grants.

Besides the fees received from patentees, Wentworth was in the habit of setting apart for himself 500-acre reservations in most of these several townships. Speculators on both sides

thus involved the merits of the controversy in the greatest perplexity. The English Board of Trade advised the King's ministry to refuse compliance with New York's requisition for a military force to quell the "Bennington Mob." Generals Haldimand and Gage when called upon by the Governor of New York to furnish troops against the Green Mountain Boys declined to obey the requisition. Thus encouraged by the mother country, Ethan Allen and his followers not only drove New York grantees from the disputed territory, but repulsed sheriffs, surveyors and other officials as often as they appeared within the limits of the Grants.

A change of policy, remarkable as it was sudden, later occurred in the British ministry. Lord Dartmouth expressed diplomatic alarm at the concurrence of lawless banditti from all parts of America on the Hampshire Grants, adding insincere sympathy for New York in the teeth of his former declaration upon the subject. This weak reversal of ministerial policy was due entirely to a cause independent of the rights of either party. The American revolution was beginning to shake the sea-girt island from end to end, and it was discovered that Ethan Allen was an ardent Whig, while Governor Colden was an equal ardent Loyalist. Change of front came too late to benefit New York; the mischief had been done by a vacillating policy of makeshifts and procrastination on the part of the English Board of Trade, the notorious inefficiency of which, not only in this dispute, but in its transactions with the whole thirteen Colonies, proved not the least potent auxiliary to American independence.

Massachusetts denied vigorously that the eastern boundary of New York was the west side of Connecticut river; on the



contrary it maintained that its own western boundary extended to a line within twenty miles of the Hudson river by virtue of the patent granted at Plymouth in the county of Devon, known as the Council of Devon, by James the First in the eighteenth year of his reign. It was further claimed by Massachusetts that the Council of Devon, in the third year of Charles the First, included the lands in dispute in a grant to Sir Henry Roswell, Sir John Young, Knight, Thomas Southcott, and others, their assigns forever; that the said disputed territory was confirmed to Massachusetts by Charles the First in the fourth year of his reign, and by virtue of that grant, although it was vacated in Chancery in 1684, Massachusetts was seized of said lands at the time of the grant to the Duke of York who could not infringe on its patent; and finally that the territory in dispute was granted well and validly to Massachusetts by the charter of 1693.

The pretensions of New Hampshire to the disputed territory, granted so lavishly by Governor Wentworth, were based wholly upon a northward extension of the Massachusetts line. If the claim set up by the latter Colony to a western boundary, twenty miles distant from the Hudson river, was a valid one, the jurisdiction of New Hampshire over the grants in question was not to be assailed by New York, but so far as that Colony was concerned the grants of Wentworth conveyed absolutely an unclouded fee-simple title to the purchasers and their assigns forever.

The boundaries of the government of New Hampshire, the only royal plantation in New England, were defined in letters patent of George the Second given at Whitehall the third day of July, 1741, in the following words:

" Our province of New Hampshire within our dominions of New England in America, bounded on the south side by a similar curve line, pursuing the course of Merrimac river at three miles distance on the north side thereof; beginning at the Atlantic Ocean and ending at a point due north of a place called Pontucket Falls; and by a straight line drawn from thence due west across the said river *till it meets with our other governments*; and bounded on the south side by a line passing up through the mouth of Piscataqua Harbour, and up the middle of the river to the river of Newichwaunock, part of which is now called Salmon Falls, and through the middle of the same to the furthest head thereof; and from thence north two degrees westerly, until one hundred and twenty miles be finished from the mouth of Piscataqua Harbour aforesaid, *or until it meets with our other governments.*"

These boundary lines of New Hampshire were thus limited by George the Second in their extension westward and northward by his majesty's other governments, and all grants of lands westward of the Connecticut river issued by Benning Wentworth were subject to those limitations.

The extension of the western limits of Connecticut afforded the Governor of New Hampshire no precedent, since Connecticut came into possession of a western limit twenty miles east of the Hudson river, not by charter from the Crown, but by covenant and agreement with New York in 1684, afterwards confirmed by King William. Under that agreement New York and Connecticut commissioners ran the lines and marked the bounds and monuments between the two Colonies in 1725, thereby fixing the eastern boundary of New York at a point

twenty miles east of the Hudson river as far north as the Colony of Connecticut extended.

With this brief outline of the jurisdictional claims of Massachusetts, Connecticut and New Hampshire, it only remains to inquire what were the limits of New York in the same direction, before passing from this the most vexed territorial controversy in our Colonial history.

The boundaries of New York are given in a "Description of New Netherland" published at Amsterdam in 1671, which the indefatigable Dutch historian, Dr. E. B. O'Callaghan, considered to have been borrowed from Van der Donck's famous account, entitled "Beschryving van Nieuw Nederlandt," which was published in Holland in 1656. The following are the limits assigned in this account to the Dutch province: "New Netherland bounded on the southwest by Virginia, stretches on the northeast to New England; on the north it is washed by the river Canada, and on the coast by the ocean; northwesterly, inland, it remains wholly unknown. The first who discovered this country was Henry Hudson. Engaged by the East India Company to find out a passage to China north of America, he set sail with the yacht "Half Moon" in the year 1609. In front of Newfoundland he took a course directly southwest, entered a large river, there met two men clothed in elk skins, and subsequently arrived safe at Amsterdam. New Netherland being thus discovered, divers traders set about establishing a stable trade here. Wherefore they sought for and obtained a charter in the year 1614, from the States General at The Hague, to trade to New Netherland to the exclusion of all others."<sup>a</sup>

<sup>a</sup> Doct. Hist. N. Y., Vol. IV., pp. 75 and 84.

Hendrick Hudson sold the province to the Dutch soon after he discovered it, and the Dutch West India Company settled a Colony there and called it New Netherland, long before the Massachusetts and Connecticut charters were granted. In 1660 the English captured the Colony from the Dutch, who recaptured it in 1673, but surrendered it in the following year by the treaty of Breda to the English government. Charles the Second thereupon granted a Charter again to the Duke of York of the lands recovered from the Dutch. The limits of the Duke's grant appear to have been identical with those of New Netherland, as a reference to the charter shows: By his several letters patent of the 12th of March, 1663-4, and the 29th of June, 1674, Charles the Second "did give and grant in fee unto his brother James, Duke of York, certain lands of which the province of New York is a part; containing among other tracts 'all that island or islands, commonly called by the several name or names of Matowacks or Long Island, situate and being toward the west of Cape Cod and the Narrow Higgansetts, abutting upon the mainland between the two rivers there called or known by the several names of Connecticut and Hudson's rivers; together also with the said river called Hudson's river, and all the land from the west side of Connecticut river to the east side of Delaware Bay.'"<sup>a</sup>

It will thus be seen that the province of New York extended east as far as the Connecticut river. The historical student, bearing in mind the respective boundary lines here sketched of the three New England provinces and of New York, will have no difficulty in forming a safe judgment upon the priority of jurisdiction over the territory embraced within Vermont.

<sup>a</sup> *Ibid.*, p. 346.

After patient research and impartial investigation among the earliest muniments of title to the territory under consideration, it is the opinion of the present writer that the grants made by Governor Benning Wentworth of lands westward of Connecticut river, known as the Hampshire Grants, were in unmistakable violation of the territorial rights of New York.

The situation of the settlers on the Grants was rendered embarrassing by the royal decree of 1764, which fixed Connecticut river as the dividing line between New York and New Hampshire. But they were loyally prepared to acknowledge New York's jurisdiction over their territory, however repugnant to their wishes and feelings the change might be. Had the New York officials of that day shown sound policy and not strained the King's decision in their favor beyond its obvious meaning and purpose, that decree would have been the happy issue of the long dispute, and the Hampshire Grants would have been annexed to New York, and to-day would form a part of the great Empire State. But land speculators in the cities of Albany and New York went farther and maintained that the decree of George the Third not only fixed the jurisdiction, but rendered null and void the Wentworth Grants. In other words, these land-jobbers insisted that the King's act, instead of being a peaceful settlement of the boundary lines between two of his Colonies, was a sweeping act of universal confiscation denounced against the inhabitants on the Hampshire Grants. Formal demands were made for a surrender of the lands, and unsuccessful attempts on the part of New York patentees to oust the Green Mountain Boys were of common occurrence. Ejectment suits followed, and, as they were tried at Albany, decisions were always in favor of the Yorkers. Ethan Allen,

who attended at the trial of the first of these actions with the well-known Connecticut lawyer, Jared Ingersoll, attorney for the defendant, left the court in despair of obtaining justice before such a tribunal. "Might often prevails against right," said the facetious attorney-general who appeared for the Yorkers. "The gods of the valleys are not the gods of the hills," retorted Allen. Affecting not to understand these words, the attorney-general questioned him further: "If you will accompany me to the hill of Bennington," replied the ready Green Mountain Boy, "the sense will be made clear."<sup>a</sup>

Submission to a change of jurisdiction, when decreed by the King, was the duty of loyal subjects. But the Green Mountain Boys were not to be forisfamiliaried in a strange tribunal composed exclusively of their enemies. Albany judgments were defied, and organized resistance to what the inhabitants on the grants called a scheme of plunder met the sheriffs who came to execute the writs. The Green Mountain Boys would neither submit to confiscation, nor consent to buy over again what they had already bought and paid for to a royal governor whose authority was derived from the same King in whose name it was now proposed to despoil them.

That the decree of 1764 had been misconstrued by New York was made evident by a subsequent order of the King in Council (July 24, 1767) commanding the Governor of New York to abstain from issuing any more patents in the disputed territory until the royal intentions should further be made known, "upon pain of his Majesty's highest displeasure."<sup>b</sup>

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<sup>a</sup>Ira Allen's "History of Vermont," p. 25. Also Sparks's and De Puy's "Life of Ethan Allen."

<sup>b</sup>Doct. Hist. N. Y., Vol. IV, pp. 375-6.

And now "the Bennington Mob," as the Yorkers opprobriously called all Green Mountain Boys, under the spirited leadership of Ethan Allen, proved more than a match for the Albany officials in the border war which continued to rage for several succeeding years. At length the Revolution burst forth, and after the fight at Lexington there were found in the ranks of Americans no longer Yorkers or Green Mountain Boys; only Tories and Sons of Liberty remained. Ethan Allen, trained to war from his boyhood, stepped forth a valiant Whig, fell like a thunderbolt on Ticonderoga, electrified the continent by its capture, and crowned the exploit with the best epigrammatic speech on record. "By what authority?" inquired the astonished English commandant of the fortress in reply to the demand for surrender. "In the name of the Great Jehovah and the Continental Congress," was the responsive and resounding anti-climax of Allen.

The capture of Ticonderoga was the first offensive blow by the Americans in the Revolutionary war, and the tidings of their victory carried dismay to the ministry of Lord North. Among the gallant band of patriots who achieved this brilliant and substantial triumph at Ticonderoga was Matthew Lyon, nephew by his first marriage of Ethan Allen. In a letter written at Frankfort, Kentucky, January 16, 1817, to Senator Armisted C. Mason, of Virginia, whose tragic end in a duel so aroused indignation in 1819, Lyon gave a quaint and forcible résumé of his career. The following extract from that letter will be read with interest by all Vermonters, and especially by the people of Wallingford, where Lyon resided at the period of which he writes: "In 1774, when British encroachment on our rights was raising the spirit of resistance, I laid before the

youngerly men in my neighborhood, in the country now called Vermont, a plan for an armed association which was adopted. We armed and clothed ourselves uniformly. We hired an old veteran to teach us discipline, and we each of us took the command in turn, so that every one should know the duty of every station. With a part of this company of Minute Men, immediately after the Lexington battle, I joined Ethan Allen. Eighty-five of us took from one hundred and forty British veterans the fort Ticonderoga, which contained the artillery and warlike stores which drove the British from Boston and aided in taking Burgoyne and Cornwallis. That fort contained when we took it more cannon, mortar-pieces and other military stores than could be found in all the revolted Colonies. At the rate captors have been paid in the late (1812) war, our plunder, which we gave to the nation without even pay for our time, was worth more than a million of dollars. I persuaded many of the Royal Irish —— Company taken there to join us, who afterwards distinguished themselves in our cause. In the same month, April, 1775, for the purpose of taking an armed sloop in the lake, it was necessary to mount two heavy pieces of ordnance at Crown Point. Our European artillerists said it could not be done without certain apparatus which could not be obtained without a ruinous delay. With the assistance of a few backwoodsmen and some timber, readily procured, I mounted them, and put the match to the first cannon ever fired under the auspices of the American Eagle, whose renown has spread far and wide."

Lyon took just pride in the famous capture of Ticonderoga. "Now is the time," he said afterwards on the floor of Congress, during a debate on the repeal of the Embargo, February



7, 1809, "to pause and count the cost. I know a little of what war means. Although I had not the honor of bearing a conspicuous part in that war which gave this country liberty, although I had the mortification very unjustly to receive a stab in my reputation in that war, a stab which would have put almost any other man down, I acted an humble though perhaps a useful part in that war from the first to the last of it. I was a private soldier in one of those companies called 'Minute Men' who first took up arms in defense of the cause of American liberty, and with my gun on my shoulder marched to take Ticonderoga under the command of Ethan Allen."<sup>a</sup>

Nothing could have been more opportune for the interests of Vermont in the Continental Congress than the capture of this great stronghold of the British. The powerful influence of George Clinton, the patriotic Governor of New York, and the occasional intrigues of Massachusetts and New Hampshire to annex the Grants, were felt injuriously by the Green Mountain Boys. Congress was at times supine, and at other times half ready to recognize New York's jurisdictional claims to the disputed territory. But when Ethan Allen seized the Keys of Champlain and handed them over as a trophy to the patriot cause, pigmy colonial struggles and marauding exploits of the past were forgotten, the bickerings of petty land-jobbers were silenced, and with rigor relenting the Continental Congress "pardoned something to the spirit of liberty."

To such heroes Congress voted the same pay as that received by officers and men on the Continental establishment, and recommended to the Provincial Congress of New York that, after consulting with General Schuyler, "they should employ

<sup>a</sup> *Annals of Congress*, Tenth Congress, Second Session, p. 1416.

in the army to be raised for the defense of America those called Green Mountain Boys under such officers as the said Green Mountain Boys should choose."<sup>a</sup>

Magnanimously forgetting the past, the Provincial Congress of New York adopted a resolution which authorized the Green Mountain Boys to raise a regiment of five hundred men, and to select their own officers up to the grade of lieutenant-colonel inclusive, the field officers to be appointed by New York. An invidious recommendation was added, undoubtedly aimed at Ethan Allen, on whose head they had once set a price, that the Green Mountain Boys would nominate acceptable persons to New York. Whether this ill-tempered request, or an actual preference of Vermonters for another leader, determined the choice, certain it is that Ethan Allen was dropped, and the Dorset convention of July 26, 1775, by a vote of forty-five to five, selected Seth Warner lieutenant-colonel of the new command. Matthew Lyon was chosen adjutant to the regiment.<sup>b</sup>

Daniel Chipman, in his "Life of Seth Warner," while suitably recounting Allen's merits, seems to regard the claims of Warner as superior. The former, he says, "was sometimes rash and imprudent," the latter "was modest and unassuming."<sup>c</sup>

The unfortunate capture of Ethan Allen in his sortie on Montreal perhaps gave rise to the opinion that he was rash and imprudent. But Major Brown, who conceived the idea of cap-

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<sup>a</sup> "Life of Ethan Allen," by Jared Sparks, p. 289.

<sup>b</sup> Lyon's Congressional Narrative, Annals of Congress, February 1, 1798. He also said in the letter to Senator Mason, an extract from which is quoted on a preceding page: "The first summer I was appointed one of the first Revolutionary adjutants."

<sup>c</sup> Daniel Chipman's "Memoir of Col. Seth Warner," pp. 34-5.

turing the town, and persuaded Allen to aid in the assault, is responsible by inexcusable absence from his appointed post for the fiasco that followed. "Carleton afterwards admitted," says a more recent writer, but who cites no authority for so important an admission by the British commander, "that if Brown had not failed to join Allen, Montreal would have fallen into their hands."<sup>a</sup>

Colonel Warner's regiment, of which Lyon was adjutant, served with distinction under General Montgomery in Canada during the brilliant fall campaign of 1775. Mr. Chipman has fallen into an error where he says at page 36 of his "Life of Warner," "it is evident that both Warner and the officers of his regiment were without commissions, for we find by Montgomery's orderly book that, on the 16th of September, he issued an order appointing Seth Warner colonel of a regiment of Green Mountain Rangers, requiring that he should be obeyed as such. Probably the Provincial Congress of New York withheld the commissions on the same grounds on which in the following year they urged the Continental Congress to recall the commissions which they had given to Warner and the officers of his regiment." As Mr. Chipman tells us at page 2 that he had but "scanty materials," and had to trust to his "own recollection" when he wrote, he no doubt did injustice to New York unintentionally. Warner was not without his commission at the time referred to by Chipman. The careful Dr. O'Callaghan in the "Documentary History of New York," compiled from original sources in the State archives at Albany, informs us at page 554 of the fourth volume of that valuable

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<sup>a</sup>"Ethan Allen and the Green Mountain Heroes," by H. W. De Puy, p. 302.

work, in a note to a letter of Ethan Allen, that "Seth Warner was appointed Lt. Col. of the Green Mountain Boys on the 1st Sept., 1775, by the N. Y. Prov. Congress." New York, therefore, did not withhold the commission of Warner. The orderly book of General Montgomery may show that Seth Warner was appointed colonel of Green Mountain Rangers on the 16th of September without impugning the verity of the record of his appointment as lieutenant-colonel of the Green Mountain Boys on the 1st of the same month. It would rather appear that the gallant Montgomery "seventh from Washington in rank, next to him in merit,"<sup>a</sup> had witnessed Warner in action, and promoted him to a full colonelcy for good conduct, as he was not the man to deny to valor its reward.

About the end of November the term for which they had enlisted having expired, and their equipment not being sufficient for the rigors of a Canadian winter, Colonel Warner and his men returned home, bearing back with them the thanks and commendation of General Montgomery. Having conquered two-thirds of Canada and raised the hopes of the patriots by his genius in arms, the hapless Montgomery, with victory almost at hand, fell on those same Heights of Quebec where Montcalm and Wolfe had yielded up their spirits before, and then and there the prospect of wresting Canada from the mother country was dimmed and extinguished.

The American army was reduced to the utmost straits. Smallpox carried off hundreds of officers and men. Large reinforcements reached the enemy, and General Carleton had hopes of capturing the remnant of the American forces. Gen-

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<sup>a</sup> Bancroft's "History of the United States," Vol. VII, Centenary edition.

eral Wooster wrote to Colonel Warner, January 6, 1776, an earnest appeal for succor in his distress, and the Green Mountain Boys, under their gallant leader, again took up the march across the border into Canada. Their services were invaluable. They formed part of the rear guard during the retreat, ministered to the sick, and repulsed scouting parties of the enemy, until at length the almost exhausted Americans passed the border with the British in hot pursuit. Winter proclaimed an armistice, and General Gates, who succeeded General Sullivan, presently drew in his troops about Ticonderoga, and the disastrous Canadian campaign was at an end.

Seth Warner, now out of commission, shortly after applied to the commander of the Northern Department for troops to protect the frontier left defenceless by the retreat of the army. General Gates recommended in reply that six companies should be raised by the Committee of the Hampshire Grants, promising to commission the officers at Continental pay as soon as they should be nominated. Matthew Lyon was a member of this Committee which immediately selected the officers for the companies. Lyon was nominated by the Committee and received his commission from Gates as a second lieutenant. He was at this time at home in Wallingford where he forthwith began to enlist men, and shortly raised his quota. At his own expense he set out with his recruits for Pittsford, which was the rendezvous for the companies as fast as they should be raised. On his arrival there Lyon met his captain and first lieutenant, neither of whom had raised any men. He was astonished to find that only two companies and part of a third, besides his own men, had been raised by the several officers

nominated by the committee of the Hampshire Grants. The cause of this unexpected apathy soon became apparent.

A resolution passed Congress July 5, 1776, with the echoes of the Declaration of Independence still lingering in the chamber from the previous day, to raise a new regiment of the Continental line to serve during the war, and to be composed of Green Mountain Boys under command of Lieutenant-Colonel Warner. This was the first formal recognition of the Green Mountain Boys by the United States, and created much enthusiasm throughout the Grants. Its effect was to paralyze the work of enlistment in the six home companies, and to stimulate the business of forming Warner's Continental regiment, which was rapidly recruited to the maximum number. Matthew Lyon immediately applied to General Gates to discharge him and his men in order that he might enroll himself with them in the regular service of the United States under Warner. To this application Gates promptly returned a favorable reply, and ordered Lyon to prepare his payroll for settlement with his men for the time they had already served before enrollment in the new regiment. A gang of wheat speculators of Tory proclivities, had bought for a mere trifle the growing crops from the farmers along the Canadian border, who, when the army fell back and left them within the enemy's lines, had fled southward with their families, a body of homeless refugees. If troops were ordered north, as the wheat gang expected, their speculation would become profitable, for the crops would be required for subsistence, and army quartermasters would be ready to buy them. With this view these speculators now urged General Gates not to disband the home companies, but to order them to the north as a protection to helpless families

who, they falsely pretended to believe, had been left behind, and to act as videttes upon the enemy's movements. They urged this request with so much plausibility that General Gates yielded to their rascally petition, countermanded his order for the disbandment of the militia companies, and sent them far north, to a place called Jericho, precisely where the speculators owned the crops. "General Gates," said Lyon in the Mason letter, "influenced by designing Tories, ordered the party seventy miles in advance of our army."

This apparently trivial transaction was big with the fate of Matthew Lyon. A stroke of misfortune now overtook him so severe, so unprovoked by act or word of his, and which entailed on an innocent, upright man so much obloquy and undeserved reproach in after years, culminating at last with a battle royal on the floor of Congress, that it would be inexcusable to omit from this memoir a recital of the events which presently took place. Fortunately Matthew Lyon himself has put on record a narrative of these events on a solemn and formal public occasion, the truth of which was confirmed by many contemporaneous witnesses and writers in Vermont, while no witness or writer on the subject ever denied its truth in a single particular. This account was related before the Committee of Privileges of the House of Representatives by Matthew Lyon, February 1, 1798. That part of the narrative which refers to the Jericho affair is subjoined: "In 1776, after the retreat from Canada, Colonel Seth Warner, being out of employ, applied to the commander-in-chief in the northern department for some defense for the frontier of New Hampshire Grants, which became exposed by the retreat of the army. The general recommended to the Committee of the New Hampshire Grants, of which I was a

member, to nominate the commissioned officers for six companies, and he promised to commission them, and that they should be entitled to Continental pay. In one of these companies I received a commission as a second lieutenant. I set about enlisting my men, and immediately obtained my quota, and at my own expense marched them to the rendezvous at Pittsford about twenty miles southeast from Ticonderoga, which by this time had become headquarters. At the rendezvous I found the captain and first lieutenant of my company had raised no men, and that there were but two companies and a part of another, besides mine, raised, and that Colonel Warner, who was expected to have commanded our six companies, had received a commission and orders from Congress for raising a regiment on the Continental establishment during the war, and that in his endeavors to raise his regiment the raising of our companies was wholly impeded. Finding the business falling into supineness, I applied to the general to discharge me and my men, in order that I might join Warner's regiment. The general at once agreed to discharge and pay me and my men, and ordered me to make up my payroll for the purpose. But at this juncture application was made to the general by some people who had bought the crops of the Whigs, and who had removed from Onion river; and he was induced to order our party to march to Jericho, and take post at a certain house on the north side of Onion river, at least sixty miles in advance of the army towards Canada—from whence the army had retreated, and about the same distance from any body of inhabitants; and the general, instead of discharging, ordered me to join one of the other companies.



"The idea of the people, and of the committee of the New Hampshire Grants was that these six companies, if they had all been raised, would have been stationed somewhere near Middlebury, which is opposite Crown Point, and about twelve miles east therefrom, and near forty miles southward of the place appointed by the general.<sup>a</sup>

"The commanding officer wrote to the general, representing the situation of the country, and the impossibility of our being of any service at Onion river, as all the well affected people were moved away. This letter was either neglected or answered with a fresh order for marching. The order was obeyed; but the soldiers considered themselves sacrificed to the interest of those persons who bought the crops for a trifle, and wanted to get our party there to eat them at the public expense. I opposed those murmurs with all the arguments in my power.

"I used frequently to urge with them that the absolute government of the army must be with the general; he could not be omniscient, and we ought to submit with cheerfulness and hope for the best. In this situation our little garrison, which contained about sixty men besides invalids, were alarmed by the Indians taking some persons from a house about a mile distant. Consternation prevailed. I immediately called for volunteers, and with about twenty men went to the house where the prisoners had been taken—from thence took a circuit in the woods round the garrison in order to see if there were any party or appearances of the enemy. Finding none, I

<sup>a</sup>"Their destination was to be fixed by the Committee of Safety, of which I was a member." Lyon's letter to Senator Mason, January 26, 1817.

returned and obtained leave to take about five and twenty of the best men, and pursue the enemy towards the lakes, where we supposed they had gone. I had proceeded about two miles, when two runners from the commanding officer brought me positive orders to return, with intelligence that a subaltern officer had returned from a scout to the Lake Champlain, about twelve miles distant, where he saw five or six hundred Indians.

"On my return I found the soldiers more than ever anxious about their situation. They complained bitterly of the orders which bound them to the north side of Onion river, more than twenty poles wide, at that time not fordable, and but a single small canoe to cross with. I endeavored to encourage them with assurances that we could withstand any number of Indians in our log house and a hovel or two which stood near; and, after a battle, if we should find the enemy too troublesome, we might retreat with honor. I urged them to their duty as soldiers and patriots. Every preparation was made to repel the attack which was expected from the enemy that night. Being fatigued and off duty, I had laid down to rest, with my fuzee in my arms. About nine o'clock in the evening I heard a violent bustle, with a cry of 'Turn out! turn out!' I turned out and inquired where the enemy were discovered, and was answered, 'Nowhere.' The soldiers were paraded, and I found by what was said by the sergeants that they were about to march off and cross the river. I expostulated with them long and earnestly, pointing out the dishonor which such an action would reflect on their country. I urged them to stay the event of a battle, and I spoke the truth when I assured them that I preferred death in battle to the dishonor of quitting our post.

"All entreaties were ineffectual; they declared they had been abused—there was no chance for their lives there, and they marched off for the south side of the river. A sergeant returned with some soldiers, and called upon the officers to cross the river. As they were going to take the canoe to the other side, they insisted on our going, and threatened violence if we refused. The other officers, which were two captains and one lieutenant, seemed willing to go, and I did not think it my duty to resist alone.

"In the morning the soldiers offered to return to subordination if the commanding officer would lead them to a small block fort at New Haven, about thirty miles to the southward. The officers held a consultation; in this I refused to do anything but go back to the station we were ordered to maintain. We were at this place joined by a lieutenant and a few men, who had gone to the mill near Crown Point to get wheat ground, and I was sent express to headquarters to carry letters and inform the general of what had happened; but some of the wheat speculators had arrived before me, and so exasperated the general that when I arrived he was enraged to the highest pitch; he swore we should all be hanged, and ordered me under arrest. Within a few days the other officers and some of the soldiers were brought into headquarters. We had a trial by a court-martial, appointed by the exasperated general, who now swore we should all be broke. I proved everything with respect to myself that is here stated (the persons are yet alive by whom I proved it, and are ready to repeat it), notwithstanding which I was included in the general sentence of cashiering; nor did even the lieutenant who was absent at the mill escape the awful condemnation. The soldiers were sentenced to cor-

poral punishment, but on General Carleton's coming down to attack Ticonderoga they were liberated.

"The mortification of being cashiered, and that very undeservedly, without any other aggravation, was, I believe, quite to the extent of my power to bear; had any indignant ceremony been to be performed, they would not have had my company at it, as the implements of death were in my power.

"The general sent for us to his own house and there, in a mild manner, communicated to us the sentence—no one present, I believe, but his aid; and we took our own time and manner of quitting Ticonderoga. I have always understood he reversed the sentence.

"Perhaps my spirit would not have been able to have borne up under this affliction had not all my acquaintances acquitted me of every color of misbehavior; nor did the bitterest enemy ever seriously, between he and me, before the present insult, call my courage or my conduct in that instance in question. Twenty-one years have elapsed since the unfortunate affair, during which it has slept in oblivion, until party rage and party newspapers tore open the wound in my breast.

"To pursue the narrative: General St. Clair, who presided at the court-martial which condemned me, in the summer succeeding that misfortune, recommended me to General Schuyler, informing him (as I supposed) of my ill-usage, and of my subsequent services, and obtained for me a commission of paymaster to a Continental regiment commanded by Colonel Seth Warner, which commission entitled me to the rank of captain. \* \* \*

"In this regiment I served at the capture of Burgoyne; and the succeeding spring, when my family could return to my

plantation from which Burgoyne's invasion had drove them, at the solicitation of Governor Chittenden and many other friends I resigned."<sup>a</sup>

Horatio Gates, who thus cashiered Matthew Lyon for doing his duty with a constancy under difficulties which proved that he possessed courage of a heroic quality, "was," says Washington Irving, "an Englishman by birth, the son of a captain in the British army. Horace Walpole, whose Christian name he bore, speaks of him in one of his letters as his godson, though some have insinuated that he stood in filial relationship of a less sanctified character."<sup>b</sup> Bancroft made a careful study of the character of Gates, and devotes considerable space to his intrigue to degrade Washington from command of the armies of the Revolution.

"Gates enjoyed the friendship of John Adams," says Bancroft. Again the national historian informs us that "Gates purposely neglected to make reports to his superior."<sup>c</sup> "Washington thought that the requisitions of Gates should be made directly to himself, or that at least he should receive a duplicate of them but Gates insisted on dealing directly with Congress, as 'the common parent of all the American armies.'"<sup>d</sup> "Shallow, vain and timorous," says Bancroft elsewhere, "and of little administrative ability, he was restless for high promotion without possessing any of the qualities requisite in a leader."<sup>e</sup>

<sup>a</sup> Annals of Congress, Fifth Congress, Vol. I, pp. 1025-1028.

<sup>b</sup> Irving's "Life of Washington," Vol. I, p. 385.

<sup>c</sup> Bancroft's "History of the United States," Vol. V, p. 299, Century edition.

<sup>d</sup> *Ibid.*, Vol. V, p. 354.

<sup>e</sup> *Ibid.*, Vol. V, p. 557.

<sup>f</sup> Bancroft's "History of the United States," Vol. VI, p. 275.

After the victory at Saratoga, Gates came to an open rupture with Washington, and the Conway cabal, to advance the former over the latter, assumed a most menacing front. Happily for the fate of America neither John Adams, nor Samuel Adams, nor Mifflin, nor Rush, nor Conway, nor Gates, nor Charles Lee, nor all of them and their congeners combined, were able to disturb the serene Washington, already consecrated in the hearts of Americans. On the 13th of June, 1780, without consulting Washington, and in opposition to his well-known wish that General Greene should be sent to the south, "Congress unanimously appointed Gates to the command of the Southern army, and constituted him independent of the commander-in-chief."<sup>a</sup> He hastened to South Carolina to exchange, as General Charles Lee predicted, his Northern laurels for Southern willows. At the battle of Camden, Gates was utterly routed by Cornwallis, and leaving his broken forces to take care of themselves, he ran away 200 miles from the scene of his disgrace. He sped to Charlotte, and thence to Hillsborough, the laughing stock of both armies.<sup>b</sup>

Such was Gates. If Matthew Lyon had been a revengeful man, here was more than sufficient to satisfy the most morbid sense of injury. But the author, in all of Lyon's correspondence and speeches, has not found one word of harshness or vindictiveness against Gates. That arrogant commander, by a wanton abuse of power, had cashiered Lyon for not stopping the retreat of sixty men, whom he did not command, before an army of nearly ten thousand. Gates himself had now become a fugitive from his own army, which he had blindly led to

<sup>a</sup> Bancroft's "History of the United States," Vol. VI, p. 275.

<sup>b</sup> *Ibid.*, Vol. VI, p. 281.

defeat, and then left to its fate. Had Matthew Lyon, instead of Horatio Gates, commanded at Camden, deserted his force after he had brought disaster upon it, and fled a panic-stricken man in buckram two hundred miles from the scene of conflict, no one would have complained had a court-martial cashiered him, no one could have challenged the justice of the sentence. Had Gates presided, to push the hypothetical case one step further, at the trial of such a recreant, in all probability the doom of death would have been pronounced, and pronounced justly, against the culprit. The man who cashiered Lyon at Ticonderoga, for striving to do his duty in the face of insuperable difficulty, was reserved in the eternal fitness of things to become the hero of the tragic-farce at Camden.

Lieutenant Lyon left Ticonderoga with a bleeding heart, a brave man struggling against crushing adversities. He returned to Wallingford and those heroic men whose names are synonyms for courage, Governor Thomas Chittenden, Ira Allen and the other leaders of the Green Mountain Boys, did not receive him as Gates had done. They were on the ground, knew all the facts of the case, were aware that a gang of cor-morant speculators had obtained the ear of General Gates, that the retreat from Jericho was earnestly opposed by Lyon, and they now declared that Lyon had been iniquitously sacrificed by Gates at the dictation of camp followers and traffickers in the miseries of the people. Nor was Lyon's vindication confined to words. He was elected a member within a few days of the Dorset convention of July 24, 1776, from Wallingford,<sup>a</sup> and took his place among the leaders of Vermont, as the immediate answer of a brave people to the sentence visited

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<sup>a</sup> Vermont Historical Society Collections, Vol. I, pp. 16-23.

upon him by General Gates. The old Council of Safety pronounced its verdict on the conduct of General Gates by ordering payment of the balance of ration money due to Captain Fassett and his two lieutenants, Matthew Lyon and Jonathan Wright, for their services at Jericho on Onion river. As Vermont's vindication of Matthew Lyon and the others from the injustice they endured at the hands of Horatio Gates, the judgment of the Council of Safety is here transcribed from the proceedings of the Council:

"State of Vermont. In Council of Safety, 19th November, 1777.

"It is the opinion and judgment of this Council, that Deacon Azariah Rude (Rood) pay Capt. John Fassett and his two lieutenants, Matthew Lyon and Jonathan Wright, all the ration money due to them while in service at Onion River in the year 1776, amounting to twenty dollars, taking Captain Fassett's receipts for the same, being money which said Rude drew from the Quartermaster-General.

"By order of Council

"Joseph Fay, Secretary."<sup>a</sup>

In the following summer Burgoyne, "with his amphibious and semi-barbarous armament,"<sup>b</sup> began the famous invasion by way of Lake Champlain. The British army in New York, under Howe, was to march northward and form a union with Burgoyne's army at Albany, as it descended from Canada. But this junction, which might have proved irresistible, was not to take place. With eight thousand men of all arms admirably equipped and officered, Burgoyne attacked Ticonderoga. The brave but unfortunate St. Clair, after the enemy had planted a battery on Fort or Mount Defiance which overlooked and commanded Ticonderoga, evacuated the fortress in the face of the overwhelming army of invasion. This step

<sup>a</sup> Records of Governor and Council, Vol. I, p. 198.

<sup>b</sup> Irving's "Life of Washington," Vol. II, p. 89.



created widespread popular dissatisfaction. The position was supposed to be a defensible if not impregnable one. Washington Irving imputes the blame largely to General St. Clair. Bancroft takes a hasty but juster view. The military parts of Irving's "Life of Washington" are drawn largely in mezzotint. It is to be regretted, with the many lives of Washington issued during the last hundred years, that his inner military history is less understood by the general public of this day than it was by those who lived nearer to his own time, and derived their knowledge from the official reports of the commander-in-chief and his officers, and the surrounding circumstances of the times. The American Livy has not yet appeared.

To understand St. Clair's position at Ticonderoga the intrigues of faction which then afflicted the country, as they have so often since, must be distinctly kept in view. A bitter feud between New York and New England, existing prior to the Revolution and actively at work during its progress, had much to do with this misfortune. A like spirit manifested itself in the camp of Allen and Arnold when Ticonderoga was captured from Delaplace. It was at work when Massachusetts at first declined, New York held back, and Connecticut finally sent troops under Hinman to occupy the station. Then when Montgomery's brilliant stroke of war in the north was followed by his death, the Continental Congress weakly intermeddled with Washington and his army, sent Gates to supersede Schuyler in the Northern department, and with like stupidity, as danger approached, allowed him to seek shelter under Washington in the Middle States, and finally when it was too late they restored Schuyler to his old command. These

changes were the result of sectional jealousies, and showed imbecility of management. Arnold's madness for renown led to the destruction of his squadron on Lake Champlain, and Schuyler's limited means and want of influence with the Eastern troops, all left Ticonderoga a doomed post long before it was evacuated on the 6th of July, 1777. Schuyler was an able and efficient officer; St. Clair a brave, skilled and self-sacrificing one. The former did much to weaken Burgoyne, as became evident finally at Saratoga, though the partisans of Gates in Congress, led by Samuel Adams, again sent that weak officer to the North to reap the fruits of other men's labors; St. Clair, holding a post deemed impregnable, was confronted by the sharp alternative of sacrificing himself or his army, and heroically cast his own prestige to the winds and saved an army which was indispensable to the final success of the campaign, and perhaps to the salvation of the cause itself. Burgoyne correctly judged that the possession of Ticonderoga was a barren victory without the capture or destruction of the American forces. The British plan of campaign, as already stated, was the junction at Albany of the army of General Howe advancing from New York, and the army of General Burgoyne descending from Canada. The latter, therefore, ordered an immediate pursuit by land and water of General St. Clair, as his retreat was accidentally revealed while the troops were marching out during the night by a fire on Mount Independence in the quarters of General Fermoy. The English historian, Gordon, charges that Fermoy, contrary to positive orders, set fire to his house,<sup>a</sup> but the charge was denied by that officer, and no evidence was adduced to sustain it. In the confusion of a hasty flight it is probable

<sup>a</sup> Gordon's "America," Vol. II, p. 482.

that the unfortunate fire, as more careful writers hold, was accidental. St. Clair's strength was greatly exaggerated by newspapers, and the military authorities purposely encouraged the delusion in order to maintain the *morale* of the army, and to raise the spirits of the people sore pressed by the war. The folly of such a policy became apparent when the fortress was evacuated, and the Americans fled before the superior forces of Burgoyne. Consternation seized the public mind. Yet St. Clair's fault was not in retreating, but in staying so long. Mount Defiance or Sugar Hill was unfortified and commanded Ticonderoga. When the British took the former, the latter was at their mercy. Sullivan, Warner and Wooster had been compelled to fall back from Canada, and St. Clair was not strong enough to confront the powerful army of Burgoyne. The retreat was scarcely ordered before a hot pursuit began. The main column of the Americans reached Hubbardton the same day, twenty-two miles from Mount Independence, after a most fatiguing march. St. Clair by great exertions restored order among the confused regiments. He halted for two hours at Hubbardton. Most of the stragglers, who had been unable to keep up with their regiments, here rejoined the ranks, and nearly the whole rear guard arrived before St. Clair renewed the retreat. He placed Warner in command of the rear with positive instructions, as soon as the last of the troops came up, to follow the army to Castleton, six miles off, and to halt that night about a mile and a half behind the general's own force, until four o'clock in the morning, at which hour he was to resume the march and join the main body. Had this order been obeyed, all disaster, beyond the destruction of the stores and baggage of the troops at Skeensborough, would have been

avoided, and the movement have proved a brilliant retreat. But want of discipline was one of the greatest difficulties against which the American generals had to contend throughout the whole Revolutionary war. Their men would not obey them. Washington was constantly embarrassed by laxity of discipline, and nowhere did he display more fortitude than in overcoming this defect among the brave but headstrong, self-opinionated farmers of his army. John Trumbull was in the camp at Crown Point after the retreat from Canada, and found, "not an army, but a mob \* \* \* void of every idea of discipline or subordination; \* \* \* the officers as well as men of one Colony insulting and quarrelling with those of another."<sup>a</sup>

Warner disobeyed St. Clair's order, and as his men, some twelve hundred in number, were greatly fatigued, he imprudently remained that night at Hubbardton. Next morning about four o'clock St. Clair paraded his army at Castleton and waited in vain for Warner during two anxious hours. Fearing that the enemy would be upon them, he sent back an express to Warner and Francis at six o'clock with orders to join him instantly. But the enemy was already at hand, and the disastrous battle of Hubbardton took place. Warner fought with obstinate valor, and killed and wounded many of the Hessians and English under Riedesel and Frazer, but was himself overborne by numbers and defeated with great loss in killed, wounded and prisoners.<sup>b</sup> The brave Colonel Francis was

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<sup>a</sup> "Life of Col. John Trumbull."

<sup>b</sup> Thompson, in his "History of Vermont," says "the British loss in killed and wounded was 183; the American loss in killed, wounded and prisoners, 324," p. 102.

killed. The remnant of the Americans fled to Manchester, and about one hundred of them joined St. Clair. That gallant officer had the mortification of being disobeyed by two cowardly militia regiments whom he ordered back to reinforce Warner while the battle was raging. The rest of his troops were too far on to return. The recreants were broken and disbanded, and on their return to Massachusetts Samuel Adams took up their defense, and strove to justify men who had allowed their countrymen to be cut to pieces, and with craven insubordination refused to enter the fight when their assistance probably would have saved the day.

It was at this perilous juncture that Matthew Lyon, who had led a detachment of Green Mountain Boys into the fight at Hubbardton, and aided Warner in his heroic but unavailing struggle, now rendered the most important military service of his life, and enrolled his name among the heroes of the Revolution. In the valuable letter to Mason, Lyon said: "I was in my station of adjutant in the retreat from Ticonderoga in 1777." The fight of Hubbardton took place on the 7th of July. That night a heavy rain fell, and the fleeing army of St. Clair, with the enemy already in possession of Skeensborough, and Riedesel's forces in their rear, found themselves without proper guides struggling on through the Vermont wilderness in mud and rain, uncertain of the route to pursue, and liable to march into the lines of Burgoyne in their efforts to extricate themselves from the perils that environed them. It was a moment of deep anxiety to General St. Clair, and his keen, military eye was watchful to prevent a possible ambushade. Every camp follower was kept under strict observation, and suspicious characters were rigidly scrutinized lest lurking spies

and Tories might endanger his safe retreat. During the night a young man claiming to be a Green Mountain Boy, and declaring himself a woodman and pioneer thoroughly acquainted with the route to Bennington, and the only road to the Hudson river which the army could safely take, presented himself at the outposts and aroused the suspicions of the guard by the boldness of his pretensions, and the earnestness of his offer to act as guide to the imperiled troops. He was placed under arrest and conducted to headquarters. General St. Clair recognized the young stranger at once as Lieutenant Matthew Lyon, a man devoted to the cause, whom General Gates had so cruelly and unjustly cashiered during the preceding summer, and whom Governor Chittenden and the Green Mountain leaders had welcomed back to their councils as a true and gallant patriot. Matthew Lyon was universally recognized as every inch a forester, as much at home in the wilds of the Green Mountains as Daniel Boone in the forests of Kentucky. There was no other man in New England whom General St. Clair would have welcomed so heartily to his camp as this bold woodman on that dark and perilous night. He was well known to the officers of the army, and many a gallant man breathed a sigh of relief when the General instantly accepted the newcomer as a guide to the army, and ordered the head of the column to follow his lead and press forward confidently wherever Lieutenant Lyon directed. The new guide immediately ordered a detour through the woods, and saved the army from impending capture.

The English historian Gordon refers to this detour in the following sentence: "While St. Clair was at Castleton an officer of one of the galleys arrived with information that the

British were pursuing in force towards Skeensborough, and would reach it before he could get there. This determined him to change his route and to strike into the woods on his left, lest he should be intercepted at Fort Anne."<sup>a</sup> The officer of the galley knew as little about the country as St. Clair, and the change of route was made under the sole direction and leadership of Matthew Lyon. The following testimony, from a distinguished officer of St. Clair's army, makes this absolutely plain. This was the celebrated General Wilkinson, afterwards at the head of the armies of the United States, who bears grateful testimony to the signal and opportune service rendered by Matthew Lyon on this occasion. "General Burgoyne's anticipation,"<sup>b</sup> says Wilkinson, "of General St. Clair at Skeensborough, information of which he received at Castleton, obliged him to change his line of march, and by a circuitous route through Pawlet, Manchester and Bennington, he struck the Hudson river at Batten-Kill, and joined General Schuyler at Fort Edward on the 12th of July. The night of the 7th being extremely dark and rainy, one of the guards took up and reported to headquarters a young man suspected of being a spy. I visited the guard, and found the prisoner to be a Lieutenant Lyon of the militia, since Mr. Matthew Lyon, of Congress, who had joined us to offer his services as a guide, of whom we stood in great need, being strangers to the country, which was in general a wilderness, a town having sometimes barely a cabin or two to distinguish it; even Bennington, the seat of the government of the Hamp-

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<sup>a</sup>Gordon's "America," Vol. II, p. 484, London edition, 1788.

<sup>b</sup>Wilkinson uses the word "anticipation" as a euphuism for the capture and destruction of the post.

shire grantees, could not number more than a dozen log cabins, which were however surrounded by a considerable tract of improved ground. Lieutenant Lyon, an active, ardent young man, was extremely zealous, and accompanied us as long as his services were useful; he had been stationed the preceding campaign, with a party of militia at Otter Creek, in a subordinate capacity; the post was evacuated without orders, and Lieutenant Lyon has been censured for that transaction, although he opposed the measure, and on an investigation was acquitted of blame."<sup>a</sup> Lyon said in the letter to Mason: "On account of the services I rendered that army in that difficult retreat, the generals who had seen me abused the year before procured for me an appointment of paymaster in the regiment on the Continental establishment, with the rank of captain in the army."

The incapacity and harshness of Gates received a just rebuke when Schuyler, his successor in command, promptly restored Lyon to the army and promoted him to a higher rank than he had held at the time of the causeless cashiering. Of this Lyon writes as follows in his letter to the editor of "The Spirit of '76": "The oldest and most experienced officers of the court-martial disapproved the sentence and obtained for me almost immediate promotion. The sentence was never communicated to me in public. The commanding general sent for me and in his room communicated the sentence, remitted the disqualification, and advised me to accept a first lieutenancy in a Continental regiment then offered me."

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<sup>a</sup> "Memoirs of My Own Times," by General James Wilkinson, vol. I, p. 189.



*In speaking later on of his dismissal from the army by Gates, Lyon said: "I always understood he reversed the sentence."*

This was probably true. General Schuyler's reinstatement of Lyon might have required otherwise another court-martial, had the sentence of the former one been in force. St. Clair no doubt represented to Schuyler that Lyon's acquaintance with the country, and his bravery and devotion in the hour of greatest peril had proved of incalculable assistance to him in effecting the safe retreat to Fort Edward. Such services were requited by the commanding general in a suitable manner; he wiped out the Gates stigma and assigned Lyon to immediate duty as paymaster to Col. Seth Warner's regiment.

This was a post of trust and some distinction which had been previously filled by a Connecticut officer, son of a member of the Continental Congress. For some reason the officer, who was popular, had been cashiered, and there was much feeling in the regiment over the affair. The young man's father brought it to the attention of Congress with a view to reinstatement. The feeling in the regiment and the father's influence operated in favor of the former paymaster, and rendered the position by no means a pleasant one to his successor. Captain Lyon encountered this dissatisfaction, but as it was not directed against himself personally, his good sense and tact, and a certain riant frankness of spirit peculiarly his own, soon won over officers and soldiers alike, and made the new paymaster as great a favorite as the former one. The movement in behalf of the displaced officer had not been given over, nor had his father's strenuous but unavailing efforts to secure his reinstatement yet been abandoned when Captain Lyon came into the regiment. It was probably on this account, and to

soften disappointment among the soldiers that the General announced the change as a temporary appointment.

The following is an extract from General Schuyler's letter to Colonel Warner, announcing the appointment of Lyon:

"Fort Edward, July 15, 1777.

"Dear Colonel.—I am favored with yours of yesterday. I enclose you an order for what clothing can be procured at Albany, which must be sent for. I have made a temporary appointment of M. Lyon to be your Pay Master, and have given him four thousand dollars, which is all I can at present spare. Colonel Simmonds, with four or five hundred of his regiment will join yours; but let the others come this way. \* \* \* Advance as near to the enemy as you possibly can. Secure all tories, and send them to the interior part of the country. Be vigilant; a surprise is inexcusable. Thank the troops in my name for behaving so well as you say they did at Hubbardton. Assure them that I will get whatever I can to make them comfortable. All of your regiment that were here are already on the way to join you. If we act vigorously, we save the country. \* \* \* Cheer up the spirits of the people in your quarter.

"P. SCHUYLER."\*

On his appointment as paymaster, Lyon immediately repaired to Manchester, where the regiment was stationed. He held the position until the close of the campaign and took part in the glorious battle of Saratoga. His resignation after the capture of Burgoyne's army caused much regret in his regimental family. He was urged by all to remain, but when he explained that important duties summoned him home, and farewell was spoken, he bore away with him the affectionate sentiments and hearty good wishes of his companions in arms.<sup>b</sup>

It is not known whether he was a member of the Windsor Convention of July 2, 1777, as "the journal of that convention

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\* "Collections of the Vermont Historical Society," vol. I, p. 186.

<sup>b</sup> Lyon's Congressional Narrative.

was never printed, \* \* \* and not even a full list of the members is extant."<sup>a</sup>

The condition of the country was never so unsettled as in the year 1777. A wilderness only partly reclaimed furnished at the best but scant supplies to the people, and the British government had now placed powerful armies and fleets in cooperation in one supreme effort to subjugate New England and New York. Burgoyne's savage allies and more savage proclamations were spreading terror among defenseless women and children, and as his army advanced not a few among the settlers on the Grants lost heart and deserted to the enemy. Overwhelming disasters occurred on all sides and paralyzed the business of the Windsor Convention. The Indians, whose favorite weapons were the torch and tomahawk, were now let loose in the district where most of the delegates resided, and when news came of St. Clair's retreat, dreadful apprehensions for their wives and little ones spurred every one to instant departure. At this moment, as in Virginia at a later day when Patrick Henry was addressing the convention upon the ratification or rejection of the Constitution of the United States, a violent storm burst forth and darkness like an incubus sat down upon the earth. Lightning blinded the sight and thunder deafened the ears of the delegates, and the house in which they sat shook with the fury of the tempest. Departure from the building was impossible, and the members thus forced to tarry, resumed business, bravely put the Constitution on its final reading and adopted it. Although not submitted to the people for ratification, this

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<sup>a</sup>Address of Rev. Pliney H. White before the Vermont Historical Society, at Windsor, July 2, 1863.

Constitution was acquiesced in and as strictly obeyed as though that formality or essentiality had been observed. While there were no officers to administer the affairs of the State, it became necessary to entrust the destinies of Vermont to a Council of its best men with powers absolute and unlimited. This celebrated body, since known as the Old Council of Safety, was chosen by the Windsor Convention as its last act before adjournment. Of this Council there is authority for saying that Matthew Lyon was a member. That careful Vermont antiquarian, Rev. Pliny H. White, in his Windsor address of July 2, 1863, spoke as follows: "No list of the members of this Council is extant, but it is known that Thomas Chittenden, Ira Allen, Moses Robinson, Jonas Fay, Joseph Fay, Paul Spooner, Nathan Clark and Jacob Bayley were of the number, and there is good reason to believe that Samuel Robinson, Matthew Lyon, Thos. Rowley, Gideon Olin and Benjamin Carpenter were also members. Its powers were undefined, and practically were unlimited, but they were exercised with great discretion, and with a single eye to the welfare of Vermont."<sup>a</sup> The Windsor Convention having thus adopted a State Constitution and selected a Council of Safety, adjourned on the 8th of July, news of the evacuation of Ticonderoga, the flight of the Americans, the pursuit by the British and of a fierce battle at Hubbardton, having brought the proceedings to a sudden close, and filled the members, as above stated, with the utmost anxiety and alarm. The Council of Safety repaired to Manchester where it was in session until the 24th of July,<sup>b</sup>

<sup>a</sup> "Collections of the Vermont Historical Society," vol. I, p. 63.

<sup>b</sup> Letter of Colonel Warner to Gen Stark. Collections Vermont Historical Society, I, 190.

when it adjourned for a few days to Sunderland, and on the 28th of July to Bennington, at which place it was in session for the remainder of the campaign.<sup>a</sup> Ira Allen in his "History of Vermont" is not exact in dates. He informs us of the sitting of the Council of Safety at the three above-mentioned places, and from his text the inference is drawn that the memorable step was taken for the appointment of Commissioners of Sequestration, not at Manchester, but at Sunderland. As this far-reaching measure originated with Allen, his account of it is important. "The Council of Safety," he says, "had no money or revenue at command, and all expresses were supported at their private expense; yet, in this situation it became necessary to raise men for the defense of the frontiers, with bounties and wages; ways and means were to be found out, and the day was spent in debating on the subject. Nathan Clark, not convinced of the practicability of raising a regiment, moved in council that Mr. Ira Allen, the youngest member of Council, and who insisted on raising a regiment, while a majority of the Council were for only two companies, of sixty men each, might be requested to discover ways and means to raise and support a regiment, and to make his report at sun-rising on the morrow. The Council acquiesced, and Mr. Allen took the matter into consideration. Next morning, at sun-rising, the Council met, and he reported the ways and means to raise and support a regiment, viz.: That the Council should appoint Commissioners of Sequestration, with authority to seize the goods and chattels of all persons who had or should join the common enemy; and that all property so seized should

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<sup>a</sup>Ira Allen's History of Vermont, pp. 93-94. Slade's State Papers, pp. 197-223.

be sold at public vendue, and the proceeds paid to the treasury of the Council of Safety, for the purpose of paying the bounties and wages of a regiment forthwith to be raised for the defense of the State. The Council adopted the measure and appointed officers for the regiment. Samuel Herrick, Esq., was appointed the colonel, and the men enlisted, and the bounties paid in fifteen days, out of the confiscated property of the enemies of the new State. This was the first instance in America of seizing and selling the property of the enemies of American independence."<sup>a</sup>

A graphic account of the proceedings of the Old Council of Safety is contained in the address of Hon. D. P. Thompson delivered in 1850 before the Vermont Historical Society, and published by order of the Legislature, the members of both Houses having been present at its delivery. Mr. Thompson's warmth of coloring and historical fidelity have been adversely criticised by Hon. E. P. Walton, editor of that valuable work, "The Governor and Council," but Hon. David Read, a writer of much accuracy as to facts, uses Thompson's account without question in his sketch of Governor Chittenden. Delivered before a body devoted to historical inquiries, and published by the Legislature, the Thompson production is recommended to favor by this high endorsement. An address, moreover, which elicited the following resolution is surely entitled to respectful consideration: "Montpelier, Vt., October 29, 1850. Resolved, by the Senate and House of Representatives: That the Secretary of the Senate and the Clerk of the House of Representatives be instructed to solicit from the Hon. Daniel P. Thompson a copy of the interesting and valuable address pronounced

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<sup>a</sup> Ira Allen's History of Vermont, pp. 96-97.

by him before the Vermont Historical Society, in presence of the two Houses, on the evening of the 24th instant, and that the Secretary and Clerk procure two thousand copies thereof to be printed and distributed under the direction of his Excellency the Governor." In communicating this resolution to the orator, the Secretary and Clerk added: "We take occasion to express the hope that you will comply with the unanimous desire of the two Houses, in which the entire audience, on the occasion alluded to, participated."

Mr. Thompson was careful to cite the authority from which he derived the material facts of his narrative, namely, Ira Allen, a member of the Council of Safety, and "from the lips of old men now passed away, and especially of one whom this year has numbered with the dead, Daniel Chipman, and who, then an observant boy, was permitted to be an eye and ear witness of all that occurred in the debate, which we will try to bring up as a living and truthful picture directly to the senses." The orator introduces the audience to the Old Council of Safety at its most interesting and important session. As Matthew Lyon is declared to have been one of the leading actors in the animated scene depicted by Mr. Thompson, the following passages from his address are appropriate in this place:

"In obedience to the order of the Convention they (the Council of Safety) had promptly assembled at Manchester and commenced the worse than Egyptian task devolving on them—that of making adequate provisions for the public defense, while the means were almost wholly wanting. For with scarcely the visible means in the whole settlement, in its then exhausted and unsettled condition, of raising and supporting a single company of soldiers, they were expected to raise an

army; without the shadow of a public treasury, and without any credit as a State, and without the power of taxing the people, which, by the Constitution just adopted, could only be done by a legislature not yet called, they were required to do that for which half a million was needed. Such were the difficulties by which they were met at the outset—difficulties which to men of ordinary stamina and mental resources would have been insurmountable. But the members of the Old Council of Safety were not men of ordinary stamina, either moral or mental, and the results of their action amid all these difficulties and discouragements were soon to evince it to the world. The particular time, however, we have chosen for lifting the curtain from their secret proceedings was at the darkest and most disheartening hour they were doomed to experience, and before their united mind had been brought to bear on any measure affording the least promise of auspicious results. \* \* \*

“The long summer day was drawing to a close \* \* \* when the doorkeeper, with unwonted haste and an agitated manner, entered the room and announced to the astonished members the alarming tidings that one of their own number, and till that day an active participator in their discussions, had proved a Judas, and was now, with a band of his recreant neighbors, on his way to the British Camp. This news fell like a thunder-clap on the Council, producing at first a sensation not often witnessed in so grave an assemblage. But no formal comments were offered, and after the commotion had subsided, all sank into a thoughtful silence, which we will improve by personal introductions of all the leading members





*Mr. Chittenden, Gov.*

FIRST GOVERNOR OF VERMONT.



of this body, whom we are now to suppose sitting before us digesting the tidings just announced.

"Separated from the rest by a sort of enclosure composed of tables strung across one end of the apartment, which was the large upper room of the old tavern in Manchester, and which had been hastily fitted up for the occasion, sat the President of the Council—the venerable Thomas Chittenden, the wise, the prudent and the good, who was to Vermont what Washington was to the whole country, and who, though possessing no dazzling greatness, had yet that rare combination of moral and intellectual qualities which was far better—good sense, great discretion, honesty of purpose, and an unvarying equanimity of temper, united with a modest and pleasing address. \* \* \* On the left of the President, on one of the plain benches that ran along the walls in front, immersed in thought, sat side by side, like brothers as they were, the two Fays—those intelligent and persevering friends of freedom and State independence. Further along sat the two Robinsons, alike patriotic and active or able, according to the different spheres in which they were about to be distinguished—one in the tented field, and the other on the Bench and in the Councils of the Nation.

"Next to them was seen the short, burly form of the uncompromising Matthew Lyon, the Irish refugee, who was willing to be sold, as he was, to pay his passage, for a pair of two-year-old bulls, by which he was wont to swear on all extra occasions—thus sold for the sake of getting out of the King-tainted atmosphere of the Old World, into one where his broad chest could expand freely, and his bold, free spirit soar untrammelled by the clogs of legitimacy. In his eagle eye, and

every lineament of his clear, ardent and fearless countenance, might be read the promise of what he was to become—the stern Democrat and unflinching champion of the whole right and the largest liberty.”

Brief sketches are given of the leading members of the Council. The thoughtful Benjamin Carpenter, the mild Nathan Clark, future Speaker of the Legislature, stern Gideon Olin, afterwards a Congressman, Thomas Rowley, the poet of the Green Mountains, and Paul Spooner, the busy man of affairs, are all crayoned out in Mr. Thompson's clever sketch. Ira Allen is described more fully: “So much the junior of his colleagues was he, that a spectator might well wonder why he was selected as one of such a sage body. But those who procured his appointment knew full well why they had done so; and his history thenceforward was destined to prove a continued justification of their opinion. Both in form and feature, he was one of the handsomest men of his day; while a mind at once versatile, clear and penetrating, with perceptions as quick as light, was stamped on his Grecian brow, found a livelier expression in his flashing black eyes and other lineaments of his intellectual countenance. Such, as he appeared for the first time on the stage of public action, was the afterwards noted Ira Allen whose true history, when written, will show him to have been either secretly or openly the originator or successful prosecutor of more important political measures affecting the interests and independence of the State, and the issues of the war in the Northern Department, than any other individual in Vermont; making him, with the many peculiar traits he possessed, one of the most remarkable men of the times in which he so conspicuously figured. ‘I have finished,’

said Spooner, breaking the gloomy silence which had so long pervaded the assembly, 'I have finished the despatch, Mr. President, requiring the attendance of General Bailey, the absent member from Newbury, and I have ventured to add the news of the defection of that miserable Squire Spencer.' 'Tis all well,' responded the President; 'but I had hoped to have forwarded by the same messenger, a despatch requesting the aid of New Hampshire. But how can we expect they will do anything till we do something for ourselves—till they know whether they will find among us more friends to feed and assist than enemies to impede them? And I submit to you, gentlemen, whether it is not now high time to act to some purpose? If we can't vote taxes, we can contribute towards raising a military force, if you will agree to raise one. Instead of being disheartened by the conduct of the traitor Spencer, who has, perhaps, providentially left us before we had settled on any plan of operations which he could report to the enemy, let us show him and the world that the rest of us can be men! I have ten head of cattle which, by way of example, I will give for the emergency. But am I more patriotic than the rest of you here, and hundreds of others in the settlement? My wife has a valuable gold necklace; hint to her to-day that it is needed, and my word for it, to-morrow will find it in the treasury of freedom. But is my wife more spirited than yours and others? Gentlemen, I wait your propositions.'

"During this effective appeal drooping heads began to be raised—perplexed countenances began to brighten, and by the time he had closed several speakers were on their feet eager to respond.

" 'Mr. Carpenter has the floor, gentlemen,' said the President, evidently wishing that discreet and firm man should lead off as a sort of guide to the warm emotions he saw rising.

" 'I rose,' said Carpenter, 'to give my hearty response to the sentiments of the Chair. It is time, high time to act. I have no definite proposition now to offer; but within one hour I will have one, if others are not before me in the matter. For it is a crime to dally any longer, and from this moment action shall be my motto.'

" 'Aye, action! action!' responded several.

" 'Action let it be, then,' said the impulsive Rowley, the next to speak; 'and I will make a proposition that will give gentlemen all the action they will want, besides setting an example which will show works as well as faith. I propose, Mr. President, that each one of us here, before any more of us run away to the enemy, seize a standard, repair singly to the different hamlets among our mountains, cause the summoning drum to be beat for volunteers, whom we will ourselves lead to do battle with this Jupiter Olympus of a British General, who has so nearly annihilated us by force of Proclamation.'

" 'Tom Rowley all over! but a gallant push nevertheless,' exclaimed Samuel Robinson in an undertone, 'and yet, Mr. President,' he continued, rising, 'if our spirited colleague's proposal should be carried into effect, we should still want a regularly enlisted force to serve as a nucleus to volunteers, especially under such officers as most of us would make.' 'I move,' exclaimed Samuel Robinson, 'we vote to raise a company of an hundred men, which will be as many as all the contributions we can obtain among our poor and distressed people will equip and support very long in the field.'

“ ‘And I,’ said Clark, ‘believing we may venture to go a little higher than that, propose to raise two companies of sixty each.’

“ ‘No, no,’ cried several voices. ‘One company—means can be found for no more.’

“ ‘Yes, yes, the larger number—I go for two companies,’ cried others.

“ ‘And I go for neither, Mr. President,’ said Ira Allen, dashing down his pen upon the table, by the side of which he had been sitting in deep cogitation. ‘I have heard all the propositions yet advanced—see the difficulties of all, and yet I see a way by which we can do something more worthy the character of the Green Mountain Boys, and that too without infringing the Constitution or distressing the people. I therefore move, Sir, that this Council resolve to raise a whole regiment of men, appoint their officers, and take such prompt measures for their enlistment that within one week every glen in our mountains shall resound with the din of military preparations.’

“ ‘Chimerical!’ said one who, in common with the rest of the Council, seemed to hear with much surprise a proposition of such magnitude so confidently put forth, when the general doubt appeared to be whether even the comparatively trifling one of Clark should be adopted.

“ ‘Impossible—utterly impossible to raise pay for half of them,’ exclaimed others.

“ ‘Don’t let us say that till compelled to,’ said Carpenter in an encouraging tone. ‘Though I don’t now see where the means are to come from, yet new light may break in on us by another day, so that we can see our way clear to sustain this proposition. If there should be, we should feel like men again.’

" 'Amen to all that,' responded Clark, 'and as the hour of adjournment has arrived, I move that our young colleague who seems so confident in the matter of means, be a committee of one to devise those ways and means to pay the bounties and wages of the regiment he proposes, and that he make his report thereof by sunrise to-morrow morning.'

" 'I second that motion, so please ye, Mr. President,' cried Lyon in his usual full determined tone and Irish accent, 'I go for Mr. Allen's proposition entirely, manes or no manes. But the manes must and shall be found. We will put the brave gentleman's brains under the screw to-night,' he added jocosely, 'and if he appears empty handed in the morning, he ought to be expelled from the Council. Aye, and I'll move it too, by the two bulls that redamed me.'

" 'I accept the terms!' said Allen, 'give me a room by myself, pen, ink, paper and candles, and I will abide the condition.'

" 'For your light, Mr. Allen, as your task is to find money where there is none to any common view. I would advise you to borrow the wonderful lamp of Aladdin,' gaily added Rowley, as the Council broke up and separated for the night.

" At sunrise the next morning all the Council were in their seats to receive the promised report. \* \* \* Allen, with his papers in hand, came in and, after announcing his readiness to report, calmly proceeded to unfold his plan, which was nothing more nor less than the bold and undreamed of step of confiscating, seizing and, on the shortest legal notice, selling at the post the estate of every Tory in Vermont, for the public service!



"The speaker having read his report, consisting of a decree of confiscation, drawn up ready for adoption by the Council, and a list of candidates or nominations of officers for a regiment of Rangers, he quickly resumed his seat and patiently awaited the action of the Council. But they were taken by such complete surprise by a proposition at that time so new in the Colonies, so bold and so startling in its character, that for many minutes not a word or whisper was heard through the hushed assembly whose bowed heads and working countenances showed how intensely their minds were engaged in trying to grapple with the subject matter on which their action was so unexpectedly required.

"Soon, however, low murmurs of doubt or disapproval began to be heard, and the expressions—Unprecedented step! Doubtful policy! Injury to the cause! became distinguishable among the more timid in different parts of the room,—when the prompt and fearless Matthew Lyon, whose peculiar traits of intellect had made him the first to meet and master the proposition which jumped so well with his feelings, and whose consequent resolve to support it was only strengthened by the tokens of rising opposition he perceived around him, now sprang to his feet, and bringing his broad palms together with a loud slap, exultingly exclaimed: 'The child is born, Mr. President! My head,' he continued, 'has been in a continual log ever since we met, till the present moment. But now, thank God, I can see my way out of it; I can now see at a glance how all we want can be readily, aye, and righteously, accomplished! I can already see a regiment of our brave mountaineers in arms before me as the certain fruits of this bold, bright thought of our young friend here.'

“‘Unprecedented step, is it? It may be so with us timid Republicans; but is it so with our enemies, who are this moment threatening to crush us because we object to receive their law and precedent? How, in Heaven’s name, were they to obtain the lands of half Vermont, which they offered the lion-hearted Ethan Allen if he would join them, but by confiscating our estates? What became of the estates of those in their country who, like ourselves, rebelled against their government? Why, sir, they were confiscated! Can they complain, then, if we adopt a measure, which, in case we are vanquished, they will visit upon our estates, to say nothing of our necks? And can these recreant rascals themselves, who have left their property among us, and gone off to help fasten the very law and precedent on us, complain of our doing what they will be the first to recommend to be done to us, if their side prevails? Where, then, is the doubtful policy of our anticipating them in the measure, any more than seizing one of their loaded guns in battle and turning it against them?

“‘Injury to the cause will it be? Will it injure our cause here, where men are daily deserting to the British in the belief that we shall not dare touch their property, to strike a blow that will deter all the wavering, and most others of any property, from leaving us hereafter? Will it injure our cause here, to have a regiment of regular troops who will draw into the field four times their numbers of volunteers? If that be an injury, Mr. President, I only wish we had more of them! With half a dozen such injuries we would rout Burgoyne’s whole army in a fortnight. I go, then, for the proposition to the death, Mr. President. Yes, by the two bulls that redamed me I will go it!’

"The ice was broken. This bold dash of rough, argumentative eloquence, so adroitly addressed to men of such mould, had reached cords that rose responsive to the touch and gave a direction to the naturally favoring current of their feelings, which was not to be diverted. The more ready and fearless, one after another, now stepped forward, removed obstructions, and gave additional force to the gathering impetus. The President, on whom all eyes were turned, was seen nodding his approbation in spite of all his prudence. The timid rapidly gained strength, the doubters at length yielded, and within two hours this all important measure, which in the eventful period of forty days named at the outset, became the pivot on which the destinies of Vermont were turned, was unanimously adopted."<sup>a</sup>

Colonel Herrick's regiment was immediately raised and equipped, the sinews of war in this crisis being obtained out of the proceeds of sales of personal property of tories and traitors. The soldiers thus placed in the field took part in the ever memorable battle of Bennington, turning point in the tide of war in the North, as the battle of King's Mountain proved in the South, the former leading to the overthrow of Burgoyne at Saratoga and to the alliance between France and the United States, and the latter to the surrender of Cornwallis at Yorktown and the recognition of American independence by George the Third. Captain Lyon as paymaster to Warner's regiment fought at Bennington, where his regiment covered itself with glory, and he also took part in the battles around Saratoga, repairing, as he himself afterwards said in Congress, to the

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<sup>a</sup> Address before the Vermont Historical Society, by Daniel P. Thompson. Burlington: 1850.

trenches every morning, musket in hand, in that grand struggle where the lion flag of England went down in fatal defeat before the Stars and Stripes of the nascent Republic. In his Frankfort letter to Senator Mason, which the author has found so useful in explaining many things that were obscure, Lyon said that while he was paymaster to Warner's regiment, "besides attending to the duties of my station, I with my gun and bayonet was in many rencounters and assisted at the taking of Burgoyne, and had the honor and pleasure of seeing his army pile their arms." He continues: "In 1778, the regiment having lost near two-thirds of its number in the many battles and affairs of 1777, was ordered to the southward, where it was expected it would be incorporated with other regiments and the supernumerary officers discharged. At the request of my Vermont friends I resigned my station in the army, and the next week was chosen and appointed a captain in the militia. I was immediately appointed paymaster-general of the troops and the militia of the State, Secretary to the Governor and Council, and assistant to the Treasurer."

Lyon had now become a leader in Vermont, his untiring activity, excellent business qualities, and ardor in the cause of independence all having conspired to bring him forward. Governor Chittenden admired him greatly, and felt the want of such a man in the emergencies which crowded thickly upon him. Ethan Allen was in captivity, Remember Baker dead, Warner and Cochran were absent in the Continental Army, and now Ira Allen and Matthew Lyon became the chief counsellors and supporters of the Governor in the arduous task of defending Vermont from the attacks of its numerous enemies. Arlington was the Tory headquarters in the State. Jehiel Hawley,

ling man there, openly prayed for the King; Abel Benesert to the British and was killed at the battle of Benning; at least five or six other Arlington men were in the f Burgoyne surrendered at Saratoga. The stay-at-home ere in secret correspondence with the enemy.<sup>a</sup> Either ry stronghold must be reduced, or the patriots in Verwere in danger of being driven out of the country. "At ncture," says a writer in the "Vermont Historical Maga- Thomas Chittenden, Matthew Lyon and John Fassett, oved into the town and took possession of confiscated ty. Captain Fassett took Bisco's house; Thomas Chit- t, Captain Hawley's; Colonel Lyon, the one opposite, vest of the railroad depot. Between Chittenden's and s a vault was dug and walled up with plank and timber, used as a jail. Ethan Allen was the neighbor of Fassett, ra Allen was at Sunderland, three miles distant. Every- being ready the Council erected its judgment seat, and o the Tory who was summoned to its presence. \* \* \* re to little purpose," continues this writer, who appears ve a soft place in his heart for Tories, "to enter into a . of the proceedings of the Governor and Council while lington. It is enough to say that the Commissioners of stration were not idle. There was little, if any, resis- . Their foes were completely disheartened by the turn events had taken."<sup>b</sup>

re of the most painstaking investigators of the early his- d landmarks of Vermont was the late E. P. Walton, r of "Governor and Council," and also editor of the  Vermont Historical Magazine, vol. I, p. 130.  Vermont Historical Magazine, article Arlington, by Rev. F. A. igh, vol. I, p. 130.

"Vermont Watchman." He had great industry and mental clearness, and only reached his conclusions after carefully sifting all the evidence. No list of the members of the Old Council of Safety is extant, and many names have been suggested as claimants to the honor of membership. Mr. Walton examined the claims of all with admirable patience and fairness, and his judgment is entitled to the respectful attention of historical scholars. The Council consisted of twelve members, eleven of which, Mr. Walton concluded, had been ascertained beyond reasonable doubt. He then addressed himself to the discovery of the twelfth member, and the result of his investigation is summed up as follows:

"The last name on the Rev. Mr. White's list, and most probably the right one to be selected, is that of Matthew Lyon, then of Arlington."<sup>a</sup> A number of "Additions and Corrections" appears at the end of the first volume of "Governor and Council," one of which is in the shape of an opinion communicated to the editor by Mr. Henry S. Dana, of Woodstock, Vt. "This gentleman," says Mr. Walton, "is of opinion that Matthew Lyon was not a member of the Council of Safety, for the reasons that, in 1798, in his defense before the Committee of Privileges of Congress on the Griswold affair, and in his speech on the subsequent resolution of expulsion, he named sundry of his services and offices in Vermont, and did not name membership in the Committee of Safety;<sup>b</sup> and also that,

<sup>a</sup> Records of the Council of Safety and Governor and Council of the State of Vermont, vol. I, p. 71. Montpelier: 1873.

<sup>b</sup> "Committee" probably a misprint for "Council," as Lyon did declare in the speech referred to that he was a member of the Committee of Safety of the Hampshire Grants, and, besides, the Council of Safety was the body evidently meant by Mr. Dana.

for a period after his retreat from Jericho in 1776, he was 'in disgrace.' Both of these points are alluded to in the text; and the first one (suggested on page 73) is strong enough to make one doubt, at least; but after all, the editor has not been able to find a person with so good a claim to the honor as Lyon had. Mr. Dana suggested Hon. Benjamin Emmons in lieu of Lyon, remarking that some of Mr. E.'s descendants ranked him as one of the Council of Safety. In a subsequent letter, however, Mr. D. wrote thus: 'I think Lyon is excluded by his own witness, but I rather think you will never be able to prove that Emmons had a much better right to the place—nothing beyond hearsay.'"<sup>a</sup>

The present writer has probably had the best opportunity to examine the writings and speeches of Matthew Lyon, and will devote the rest of this chapter to a résumé of the public stations known to have been held by him, and of those probably held by him, but of which the evidence is not certain, during the period from his arrival in the Hampshire Grants in 1774 to his advent in Arlington as Secretary of the Governor and Council, April 9, 1778.

He was probably a member of each of the three conventions held respectively, at Manchester January 31, 1775, in which Wallingford was represented;<sup>b</sup> at Dorset July 26, 1775;<sup>c</sup> and at the same place January 16, 1776.<sup>d</sup> The lists of delegates are not preserved. Lyon was active in Wallingford affairs during this period, having submitted to the young Whigs in

<sup>a</sup> Records of the Council of Safety and Governor, etc., of Vermont, pp. 526-7.

<sup>b</sup> Vermont Historical Society, I, p. 8.

<sup>c</sup> Ibid, p. 9.

<sup>d</sup> Ibid, p. 11.

his neighborhood in 1774 a scheme for a military organization, which was adopted.<sup>a</sup>

In 1776, before the Dorset Convention of July 24th of that year had been held, General Gates recommended the nomination of military officers to the Committee of the Hampshire Grants, "of which," Lyon declared in his Congressional Narrative, "I was a member." He was probably appointed by the Manchester Convention, or by one of the Dorset conventions just named. Should the full lists of members ever be found, the name of Lyon probably will be discovered among them.

He was a delegate to the Dorset Convention of July 24, 1776, from North Wallingford, together with Abraham Jackson. The well authenticated James H. Phelps's copy of the proceedings and list of members contains Lyon's name,<sup>b</sup> which is also subscribed to the declaration of principles put forth by the Convention.<sup>c</sup> Some Vermont writers say he was a member of the Windsor Convention of July 2, 1777, as well as of the celebrated Council of Safety which was chosen by that Convention.<sup>d</sup> Mr. Dana, already referred to, expressed the opinion that he was not a member of this Council, because he did not mention it in his Congressional Narrative. There is apparent argumentative force in this opinion. Lyon was fond of referring to the honorable positions he occupied in Vermont, but the author has found no distinct claim by him in his letters or speeches, many of which he has examined, though his letter

<sup>a</sup> Lyon's letter to Mason, January 16, 1817.

<sup>b</sup> Vermont Historical Society, I, p. 16.

<sup>c</sup> Ibid, p. 23.

<sup>d</sup> Rev. Pliny White, E. G. Walton, D. P. Thompson and others held this opinion.



to Senator Mason might be construed to include such a claim, of having been a member of the Old Council of Safety of 1777. The failure of Colonel Lyon to mention that office in 1798, when suddenly called upon to defend himself from attack, is by no means conclusive either that he had or had not been a member of this Council. There were several stations of honor which he omitted to mention on that occasion, but which there is no doubt he had filled. Mr. Dana may have thought it probable that so great a distinction as the office conferred was not likely to be forgotten by Colonel Lyon, whose memory was generally tenacious of the important transactions in which he had taken part. But he was one of the eighty-five Americans who struck the first glorious and aggressive blow of the war, the capture of Ticonderoga, the fame of which immeasurably surpasses that of any other event, the battle of Bennington alone excepted, which occurred in Vermont during the whole Revolution. He was also founder of the flourishing town of Fair Haven, where he established extensive mills, factories and iron works, and long was known as the father of the town, a benefactor of the poor and one of the most popular and respected citizens of Vermont. Yet none of these matters was mentioned by Colonel Lyon in his "Congressional Narrative." The force of Mr. Dana's opinion is of course only negative and argumentative. As such it must receive every consideration it deserves in this biography, the author of which has no other purpose than to state the truth. The failure to find reference to the Old Council of Safety in such of Colonel Lyon's literary remains, except the Mason letter of 1817, as have come into the present writer's hands, although negative and inferential, adds to the plausibility of the opinion

expressed by Mr. Dana. In reality, however, I think Mr. Dana is mistaken. On the other side, there is much to be said favorable to the opposite opinion expressed by well known historical writers in Vermont, that Colonel Lyon was a member of the Council in question. Had the author not been aware of this he would have omitted the copious extracts from Mr. Thompson's address before the Vermont Historical Society, in which Lyon's membership and prominence in the Council are discussed as undoubted facts. In the sketch of Thomas Chittenden by David Read, the name of Matthew Lyon is also given as a member of this Council.<sup>a</sup> In the "Report of a British Agent," published among the Haldimand Papers, this occurs: "Captain Lyon (one of the Council) told \* \* \* that Governor Chittenden would settle with Britain if the present leading men in Vermont were allowed to continue such under Britain."<sup>b</sup> Commenting on this, Walton says, "Lyon was never a member of any Council, unless it was the Council of Safety, which closed more than two years previous to these reports."<sup>c</sup> "Colonel Allen's report to the Council," says another of Haldimand's agents, "was kept so profound a secret that no man of the King's friends, nor of the rebels of high or low degree could come to the knowledge of a syllable of it from the Council, except a few words dropped from Captain Lyon, to the following purport, viz: 'Vermont would never make up the Tories' losses, and if they could not settle with General Haldimand pretty much on their own terms, they would baffle him with flags and prolong the time till they were better able

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<sup>a</sup> Vermont Historical Magazine, I, 911.

<sup>b</sup> Vermont Historical Society, II, 137.

<sup>c</sup> Governor and Council, I, 72.

to oppose him.'"<sup>6</sup> The last quotation, found in the "Report of a British Agent," is also taken from the Haldimand Papers, and implies that L. was a member of the Council. Mr. Walton sums up the testimony in favor of Lyon's membership in the following words: "Assuming, as it is certainly safe to do, that Lyon was qualified for the place, his close relations with Chittenden and the Allens, \* \* \* are the strong points in favor of the probability that he rather than any other man suggested by Mr. White, or any other man who can be suggested, was the *twelfth member of the Council of Safety*."<sup>7</sup> The italics in the last words are those of Mr. Walton.

Lyon says, in his letters and speeches, that he was adjutant of his regiment the first year of the war. He was lieutenant in the Continental line when ordered to Jericho by Gates in 1776, and paymaster with the rank of captain in Col. Seth Warner's regiment in 1777. General Schuyler's letter to Colonel Warner, in which Lyon's appointment to the last position was announced, has been already quoted. A grandson of Colonel Lyon, Mr. T. A. Lyon, of Louisville, Kentucky, among other valuable papers which he has furnished to the author, sent the original commission of his grandfather as second lieutenant in the Continental line in 1776. Some autograph hunter has cut out the general's signature (that of Horatio Gates most probably), but the rest of the commission is intact, and is here given in full as an interesting and perhaps never before published Revolutionary document. It is written in a bold, fine hand, and bears the wax seal of the general whose name has been cut out.

<sup>6</sup> Vermont Historical Society, II, 137.

<sup>7</sup> Governor and Council, I, 72-3.

"By Virtue of the Power & Authority Given by Major General Schuyler.

"To Matthew Lyon, Gentleman:

"Reposing especial trust & Confidence in your Patriotism, Valour, Conduct & Fidelity, I do by these presents constitute & Appoint you to be a Second Lieutenant in the Army of the United States rais'd for the defence of American Liberty, & for repelling every hostile Invasion thereof. You are therefore carefully & diligently to discharge the duty of a Second Lieutenant by doing & performing all manner of things thereunto belonging. And I do strictly charge & require all officers & soldiers under your command to be obedient to your Orders as a Second Lieutenant & you are to observe & follow such Orders & directions from time to time as you shall receive from the present or a future Convention of the United States of America or Committee thereof, for that purpose appointed, or Commander in chief for the time being of the Army of the United States, or any other your Superior Officer, according to the rules & discipline of War; in pursuance of the trust repos'd in you this Commission to Continue in force untill revok'd by me, the present, or a future Convention of the United States.

"dated at Ticonderoga this 19th day of July 1776.

"(Signature cut out.) [Heavy wax seal]

"By his Honour's

"Command.

"WM. CLASSON, Secr:y."

Rev. Pliny H. White, in his 1858 address before the Vermont Historical Society, states that Lyon was first heard of in the Hampshire Grants as a laborer employed by Thomas Chittenden at Arlington. This is obviously an error. Chittenden first took up his residence at Arlington in 1777,<sup>a</sup> nearly four years after Lyon had bought land and settled in Wallingford.<sup>b</sup>

<sup>a</sup> "Chittenden, after the surrender of Burgoyne, purchased a farm in Arlington, on which he resided until 1787."—Daniel Chipman's *Life of Governor Chittenden*, p. 17.

<sup>b</sup> A letter to the author from Joel C. Baker, Esq., of Rutland, and Rev. Mr. Saunderson's Sketch of Wallingford at a former page. Also Lyon's Congressional Narrative, 1798.

Mr. White cites no proof or record evidence for his statement, and the author, after diligent search, has found nothing whatever to support it, but everything to contradict it. The orator in this instance no doubt trusted to rumor, which for a season among the Federalists was very busy with its thousand tongues disseminating idle stories concerning Matthew Lyon.

The address, while marked by much of antiquarian research into a subject then almost forgotten, and which Mr. White contributed not a little to rescue from oblivion, has this defect, perhaps inseparable from all hasty treatment: Portions of the narrative are taken at second hand and from neighborhood gossip, as for example, where he says Lyon's second wife "bore him four children," whereas the number was eight;<sup>a</sup> where he says, "Lyon's first appearance in public life was in the summer of 1776 \* \* \* at Jericho," whereas he was one of Ethan Allen's storming party at Ticonderoga in 1775, and adjutant to Seth Warner's regiment also in 1775;<sup>b</sup> where he says, in speaking of Lyon's conviction and fine under the Sedition Law, that "it was not till 1833, several years after his death, that the fine and costs were refunded to his heirs," whereas the act of Congress referred to bears date July 4, 1840;<sup>c</sup> and finally, not to dwell on the subject longer, where he says Lyon "was elected the first delegate to Congress" from the Territory of Arkansas, whereas he was elected the second delegate, having been defeated by another candidate at the first election.<sup>d</sup>

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<sup>a</sup> Lyon's family record and his daughter's (Mrs. Roe's) letters to author.

<sup>b</sup> Lyon's letter to Senator Mason and his 1798 Narrative.

<sup>c</sup> Congressional Globe for 1840.

<sup>d</sup> Register of Congressional Debates, 1820.

Thomas Chittenden, Matthew Lyon and Jonathan Spafford emigrated from Litchfield county, Connecticut, in 1774, and it is possible, as they took household and other effects with them to the Hampshire Grants, that Lyon, always fertile in resources and a natural organizer, may have been employed by Chittenden to transport the effects of the party to the new country from historic old Litchfield. Everywhere that the records disclose Chittenden and Lyon in contact, they appear as equals and friends. They were members of the Dorset Convention of July 24, 1776. They were leading members of the Old Council of Safety of 1777. They appeared as associates at Arlington, in the latter part of 1777, to crush out Toryism then rampant at that place. In the course of a few years Lyon married the daughter of Chittenden and became a favorite son-in-law of the famous Governor.

## CHAPTER IV.

LOST SIBYL LEAVES OF CHITTENDEN—THE HALDIMAND IN-  
TRIGUE—IRA ALLEN'S CONFESSION—COLLISION AT WEST-  
MINSTER BETWEEN CHIPMAN AND LYON—COUNCIL OF CEN-  
SORS CAUSE LYON'S IMPEACHMENT—LYON VINDICATED—  
DEATH OF HIS WIFE—HIS REMARRIAGE TO GOVERNOR CHIT-  
TENDEN'S DAUGHTER—HE FOUNDS FAIR HAVEN—DISTIN-  
GUISHED CAREER IN VERMONT.

DURING the period of the residence of Thomas Chittenden and Matthew Lyon at Arlington the cause of Vermont, like a pendulum betwixt despair and hope, now trembled on the verge of ruin, and again was carried to the opposite extreme of anticipated triumph, with State sovereignty the watch-word in every fight and against every enemy.

"Ho! all to the borders, Vermonters come down,  
With your breeches of deer-skin and jackets of brown,  
With your red woollen caps and your moccasins, come  
To the gathering summons of trumpet and drum.

\* \* \* \* \*

Leave the harvest to rot on the field where it grows,  
And the reaping of wheat for the reaping of foes;

\* \* \* \* \*

Our vow is recorded, our banner unfurled  
In the name of Vermont, we defy all the world."<sup>a</sup>

It was a season of great historical action upon which the destinies not only of Vermont but of America hinged. France and England, the century fighters, had exchanged places in

<sup>a</sup> "Song of the Vermonters," by John G. Whittier.

their relations to America. Years before, when English dominion on this continent seemed to be more firmly established than ever through the French surrender of Canada to England, the astute Count de Vergennes predicted that it would prove a fatal triumph to Great Britain. "I am persuaded," said he, "England will ere long repent of having removed the only check that could keep her Colonies in awe. They stand no longer in need of her protection; she will call on them to contribute toward supporting the burdens they have helped to bring on her, and they will answer by striking off all dependence."<sup>a</sup>

The evolutions of the mighty struggle, which began in the forests of Pennsylvania and encircled the world in its progress, nowhere have been crayoned out more strikingly than by the great English novelist Thackeray. The inspiration of the name of Washington has not only lent to genius its noblest theme, but it has enriched the English language with some of its finest literature. But where in a single stroke is the epic depicted so graphically, with the Heaven-sent hero carved out before the naked eye with the distinctness of the marble of Canova, as in this gem from the pages of "The Virginians?"

"Up to this time (1753) no actual blow of war had been struck. The troops representing the hostile nations were in presence—the guns were loaded, but no one as yet had cried 'Fire!' It was strange that in a savage forest of Pennsylvania a young Virginian officer should fire a shot and waken up a war which was to last for sixty years, which was to cover his own country and pass into Europe, to cost France her Ameri-

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<sup>a</sup> Bancroft's History of the United States, III, 305. Irving's Life of Washington, I, 281.



an Colonies, to sever ours from us, and create the great Western Republic; to rage over the Old World when extinguished in the New; and, of all the myriads engaged in the vast contest, to leave the prize of the greatest fame with him who struck the first blow!"<sup>a</sup>

Vermont played a not insignificant part in the American Revolution, and if the papers of Governor Chittenden had been preserved, instead of having been sold, as Professor Butler says, "to a peddler with paper rags,"<sup>b</sup> what an invaluable treasury of facts might have been gathered from his correspondence. Those letters and documents, stuffed in the vandal ragbag of a peddler, no doubt teamed with New England and New York history. Among his correspondents were Stark, the hero of New Hampshire; Hancock, whose signature suggests the massive statesman; Sam. Adams, the Hotspur of his prolific family; John Adams, with his "antiquated British surliness;"<sup>c</sup> the plastic Hamilton and sturdy George Clinton, old Oliver Wolcott, of Litchfield, the nursing mother of Vermont; honest Philip Schuyler, General Haldimand, the British tempter, and *clarum et venerabile nomen*, George Washington himself. How much at that time of trial and doubt must the leaders have found to say in those lost sibyl leaves of Chittenden! Each trifle even, if I may borrow the quaint figure of speech of Professor Butler, would be "a little window through which we could look into the distant past." Had the papers of Chittenden come down to us they would constitute in connection with Haldi-

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<sup>a</sup> "The Virginians: A Tale of the Last Century," by William Makepeace Thackeray, chapter VI.

<sup>b</sup> "Deficiencies in Our History," an address before the Vermont Historical Society, by James Davie Butler, 1846.

<sup>c</sup> Carpenter's Life of Jefferson.

mand's papers a perfect chapter of Revolutionary history, and make much clearer than it is now ever likely to be our knowledge of the secret intrigue between the British and Vermonters. As it is, the chapter lacks completeness, important leaves have been torn out in the most interesting parts, and that scapegoat, the peddler, is left to take the blame. The origin of the Chipman-Lyon feud lies buried in this lost chapter of Vermont history.

The war swept southward after the victory of Saratoga, and New York, New Hampshire and Massachusetts had more leisure in which to harass the Green Mountain Boys, and renew attempts to dismember their territory and divide it up among themselves. Governor Chittenden met the crisis undaunted, and Ira Allen and Matthew Lyon rendered efficient aid in defense of the liberty and separate existence of Vermont. Plot and counterplot succeeded each other rapidly; first, New Hampshire towns, and next New York towns sought to form a union with Vermont, and the New Hampshire towns tried to disintegrate the Grants under the specious plea of erecting a new State along Connecticut river on either side of that stream. New Hampshire and New York appealed to Congress, and that body, while wisely striving to remain neutral, was compelled by the importunities of Governor Clinton and President Weare to interfere in the dispute and assume an attitude of unfriendliness to Vermont. Ira Allen and Stephen R. Bradley, the Vermont agents, were admitted to the Congressional deliberations, but without a voice in the controversy, and perceiving an adverse disposition on the part of Congress, they promptly withdrew and remonstrated against the right of that body to sit as a court of judicature and determine the fate of

Vermont by virtue of authority given only by the other parties. The Green Mountain Boys now renewed the scheme of union, known as the East and West unions with New Hampshire and New York towns, and not satisfied with this bold step, which was partially carried out, the Vermont leaders entered upon another still more desperate and questionable movement—nothing less than secret negotiations with the enemy, the professed purpose of which was a return to their allegiance to the British Crown. This step was only taken after repeated overtures had been made by British emissaries to bring it about. Two letters to Ethan Allen from an adroit and scheming New York Tory of much prominence, Beverley Robinson, had been forwarded to Congress with the twofold object of proving the desire of Vermont to be received into the Confederacy or, failing that, and rather than submit to New York, of intimating the intention of once more becoming a British province. Matthew Lyon, as Deputy Secretary or Secretary of the Council, certified to the correctness of the copies of these letters, the originals of which were kept in Vermont. Congress paid no attention to the letters, and negotiations with the British, commonly called the Haldimand Intrigue, were opened by Governor Chittenden. This intrigue has provoked furious abuse from a multitude of hostile writers, and led to more widespread censure of Vermont than any other transaction in the history of the State. But repulsed by Congress, and threatened with destruction by their neighbors, the then leaders of the independent republic which had been created by the wisdom of Chittenden and the valor of the Allens, Warner, Lyon and their fellows, felt themselves to be driven to the dire necessity of in-

triguing with the common enemy of America in order to prevent the annihilation of Vermont. Exigent casuistry!

Viewed as a pure question of international law or of the law of nations, had Vermont the right to treat separately with Great Britain during the Revolutionary struggle? Puffendorf and Vattel lay down the law that a *de facto* State, having declared its independence and being able to maintain it, may claim recognition, and if the claim is acknowledged by other nations or made good by military force, it may exercise the acts of a nation, make treaties, declare war, conclude peace, and wield the sovereignty of a separate nationality. In 1777 the people of Vermont having already thrown off allegiance to Great Britain, established a separate government, adopted a constitution and placed their affairs in the hands of a Council of Safety, they seem to have fulfilled those requirements defined by the publicists as essential to constitute a *de facto* State. The right to conclude peace with the public enemy cannot be denied to such a government, and therefore the charge of treason to the United States, of which Vermont was not a part, is inapplicable to the Green Mountain Boys or to their leaders, conceding even that peace with Great Britain at the risk of war with the United States was the object of their negotiations with the British General Haldimand. But as a moral and patriotic question, aside from the constitutional and international aspect of the case, nothing could be more un-American and abhorrent than actual union between Great Britain and Vermont against the United States in the Revolutionary war. The negotiations which took place were carried on by stealth and wrapped in impenetrable mystery, an acknowledgment that those who engaged in them on the part of the Green Mountain Boys were

ashamed of the business. When Sergeant Tupper, a Green Mountain Boy, was killed by St. Leger's men and some of Tupper's militiamen were captured, the secret negotiations were nearly exposed by the British general. He buried the American with distinguished military honors, and returned his clothing and personal effects to the Vermonters, with a letter of apology for the killing of the sergeant by his troops, ignorant of the secret armistice between the British and Green Mountain Boys.

The contents of that letter became known. Colonel Reynolds, called by some chroniclers Major Runnells, questioned Ira Allen sharply as to the meaning of such a transaction, and got a fiery and unsatisfactory answer. Nathaniel Chipman was called upon to doctor the letter, and produced a new or bogus one, which was read to the excited people as the real dispatch from St. Leger, and the matter was hushed up, but only after the greatest difficulty. The wrath of the Vermonters was aroused, and its exhibition was infinitely creditable to them as American patriots, and went very far to establish the truth of Governor Chittenden's subsequent admission that but very few persons, only eight men, were aware of the secret negotiations with the enemy. General Stark, then at Saratoga, wrote to Governor Chittenden, and said: "Accountable as I am to superiors and inexcusable as I should be if I neglected to advise them of any circumstances which carry the aspect of iniquity, I wish to receive the most authentic information respecting the sergeant of the Vermont militia who was slain and his party captured by the enemy. I expect your Excellency will enable me to furnish a minute detail of it to Congress by affording me a perusal of the original letter which the

British commanding officer is said to have written to you on the occasion. This will be returned to you by a safe hand and a copy transmitted to Congress."<sup>a</sup> Governor Chittenden put off General Stark with explanations.

But Vermont was truly the child of the Revolution, the offspring of war, a State evolved from the storm of battle. Did its people mean to join the British and desert the American cause? Oh, no! The blood-stained field of Hubbardton, where the Green Mountain Boys fell stubbornly fighting in the patriot cause, says no; their blood poured out like water on the glorious field of Bennington forbids the dishonoring thought. "Greater love than this no man hath," says the inspired Book, "that a man lay down his life for his friends." Traitors are not made of such stuff as the heroes who stormed the heights of Ticonderoga, followed Montgomery into Canada, marched to the rescue of Wooster and Sullivan, and helped to win the victory at Saratoga. The offense of that strange intrigue was in its ignoble possibilities, and not in its real motives, which seem only to have been a cunning dalliance, a trick of war, a pardonable deception practiced on the British. In a letter to Governor Chittenden, General Washington gauged the quality of the transaction correctly: "They" (the British), said he, "have been worsted in the use of their own weapon—deception."<sup>b</sup>

The people of Vermont have nothing to fear from the most rigid inquiry into the Haldimand intrigue. Even Col. William L. Stone, while arraigning the leaders with severity, frankly admits that the people were not in the plot.<sup>c</sup>

<sup>a</sup> Collections Vermont Historical Society, II, 197.

<sup>b</sup> Vermont Historical Society Papers, II, p. 229.

<sup>c</sup> Life of Brant, II, 203-4.

We have seen how the inhabitants of the Grants were swept from their homes and fled into Connecticut and Massachusetts on the irruption of Burgoyne into Vermont during the summer of 1777. Matthew Lyon's wife and children, driven from their farm in Wallingford, fled southward with the rest to seek refuge with their friends out of the track of the invader, probably in Litchfield county, Connecticut. On Lyon's resignation from the Continental army and return to Vermont in the winter of 1777 or spring of 1778, he conducted his family home again to the Grants, and made his abode in the Tory stronghold of Arlington. He continued to reside in this place for the next five years, held many positions of trust and distinction in the community, and on the election of Thomas Chittenden Governor of the State, Lyon was chosen by the people of Arlington to succeed that distinguished man in the Legislature, taking his seat in that body at the beginning of 1779.

The fierce struggle for existence which Vermont was making at this time against New York and New Hampshire and to a less extent against Massachusetts, rendered the military arm of the young mountain republic its chief reliance, not only against the British and Tories, but against its sister States. Lyon was remarkably active in these emergencies, and rose by regular regimental gradation in a regiment of Green Mountain Boys from the rank of captain, in 1778, to that of colonel at the opening of the year 1782. He was, with the two Allens, the mainstay of Governor Chittenden, during these trying formative days, now aiding in the work of quelling Tories, fighting Yorkers and guarding the frontier from red-coats and Indians, and again devising measures to secure, if possible, the

admission of Vermont into the Confederation as the fourteenth sovereign confederate of the United States.

Chittenden placed the number of persons in the Haldimand secret at eight—Thomas Chittenden, Moses Robinson, Samuel Safford, Ethan Allen, Ira Allen, Timothy Brownson, John Fassett and Joseph Fay.<sup>a</sup> But that number had to be increased as circumstances required.<sup>b</sup> Nathaniel Chipman was taken into the intrigue, and to him was assigned the questionable task of reconstructing the St. Leger-Tupper letter.<sup>c</sup> He was afterwards the founder of the Federal party in Vermont, the Federalists being disposed later on to censure Governor Chittenden and Matthew Lyon, the founders of the Democratic party in the State, then called the Old Guard, for their part in the intrigue, which, like the shirt of Nessus, sticks forever to all who had lot or parcel in the business. Matthew Lyon cannot escape some small degree of the censure attached to Judge Chipman. Neither of them was taken into the secret at first. Ira Allen, the Machiavelli of his time, had the conspirator's talent for secrecy, and thought one was better than two, and eight were enough for every contingency. Chittenden was less subtle, but far wiser, and he, probably against Ira Allen's wishes, soon added Chipman, Lyon, Enos and one or two others to the original number of intriguers who were playing double with the British and Americans. Lyon's participation in the ruse must be regarded as the least defensible act of his whole public career. He was improperly blamed and unjustly punished for the retreat from Jericho, but even had he been

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<sup>a</sup> Williams's History of Vermont, II, 214.

<sup>b</sup> Vermont Historical Collection, I, 421.

<sup>c</sup> Ibid, II, 193.



guilty of disobedience of orders with which he was then charged by Gates, that offense would have been immeasurably small compared with any, even the slightest complicity in the plot fomented by Haldimand and Ira Allen, the professed object of which was submission to England in the midst of a war Vermont had plunged into with the States of which she claimed to be a sister, for weal or woe, for "liberty or death." I am aware that Jared Sparks described the intrigue by the rose-colored remark that it was one of "the allowable stratagems of war." But Ira Allen, over a quarter of a century after the Revolutionary war had ended, described it more bluntly, and the final verdict of history will be that the prime mover of the intrigue knew more about his own ultimate design than the amiable Jared Sparks. "If the events of war had terminated in favor of Great Britain," said Ira Allen to Samuel Hitchcock, of Burlington, in a letter dated October 11, 1809, "Vermont would have been a favorite Colony under the Crown; if in favor of the United States, they were prepared for a sister State in the Federal Union, which they obtained."<sup>a</sup> This, he asserted in the same cold-blooded confession, gained for Vermont "the securest situation of any of the people in the United States." Such, then, was the scheme of Ira Allen, but Governor Chittenden, Nathaniel Chipman and Matthew Lyon never would have entered into any plot to make Vermont in reality a "Colony under the Crown." The glory or the shame of this self-confessed scheme belongs exclusively to Ira Allen.

The good people of Vermont, to their credit be it said, have ever been ashamed of the Haldimand intrigue. But that

<sup>a</sup> Letters of Ira Allen, pp. 9-10, in the Vermont State Library. Also Governor and Council, I, 116.

shame has often to be spelled out between the lines of many of the early State records which, without such a key to explain them, would be wholly incomprehensible. Thus Slade in his "State Papers," and the Commissioners of Confiscation and Sequestration in their published transactions, have suppressed the names of Tories subjected to confiscation. The secret records of the Court of Confiscation have been sedulously guarded from publication. "In all our histories," says Professor James Davie Butler, "there is a lack of characteristic minutiae. We ask for face to face details, we receive far off generalities."<sup>a</sup> How many Tories were stripped of their holdings, how many by Haldimand's order were restored to their possessions, how many received compensation in other forms as the result of the negotiations with the British, are among the buried secrets of the Old Council of Safety which will never be known. Matthew Lyon, I repeat, with his usual impetuosity, once blurted out to one of Haldimand's agents, "Vermont would never make up the Tories' losses, and if they could not settle with General Haldimand pretty much on their own terms, they would baffle him with flags and prolong the time till they were better able to oppose him."<sup>b</sup> To another spy of Haldimand it appears Lyon held different language. "Captain Lyon (one of the Council) told \* \* \* that Governor Chittenden would settle with Britain," says the spy, "if the present leading men in Vermont were allowed to continue such under Britain, their old and new Grants confirmed, the East and West new territories confirmed, all their laws and acts confirmed and nothing

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<sup>a</sup> Address before the Vermont Historical Society, Montpelier, 1846.

<sup>b</sup> Collections Vermont Historical Society; Haldimand Papers, II, 137.

voked; that the Tories' farms must (he supposed) be given to them; but Vermont would not make good any other image to them."<sup>6</sup>

These glimpses afford a hint of the cause why the records of the old Court of Confiscation were so jealously guarded, and why Matthew Lyon was impeached in 1785. This impeachment took place while Lyon was absent; it was pressed to conviction and fine by Nathaniel Chipman and others, but it fell through entirely when Lyon made request for a new trial. He was able to show that his refusal to surrender the tell-tale records, even if they were not then destroyed, which is more probable, was intended to screen others and not himself, that their exposure would produce endless litigation, and act like a bombshell not only on land titles but on reputations and characters. As Chipman was in the Haldimand intrigue, he must have taken the hint, for the prosecution was abandoned suddenly and completely. But it would have been more just to Colonel Lyon, who was evidently innocent of any personal misconduct in the premises, to have reversed the sentence, remitted the fine, and placed on record the evidence of his acquittal of the charge made against him by the Council of Censors. In effect this was done, the conviction was treated as a nullity, the fine was not enforced, and the State, not Lyon, paid the costs of the prosecution; but the record was practically suppressed. Chipman and Lyon were political opponents. The enemies of the latter for a time circulated false stories concerning him, and invented one about a wooden sword which not only aroused Colonel Lyon's indignation, but led to many an encounter with fists on the part of his young son, Chitten-

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<sup>6</sup> Ibid, II, 136.

den Lyon, with any of his playmates in the neighborhood who ventured upon the insulting subject. This silly story was to the effect that General Gates, when he cashiered Matthew Lyon at Ticonderoga, ordered him to wear a wooden sword and to be drummed out of camp to the music of the Rogues March. Rev. Mr. Beaman describes Chittenden Lyon as a very fiery boy, a chip of the old block, generous, popular and impulsive, but woe betide any schoolmate or companion of his who dared to say wooden sword in his presence. The story was utterly false, and too ridiculous and mean to be long tolerated by Vermonters who knew and liked Matthew Lyon for his courage in every fight, for his conspicuous rank among those daring men, the Green Mountain Boys, who braved death in many desperate battles; and so the malicious lie was soon frowned down and run down by the whole community, and no more was heard of it in Vermont. In March, 1780, Chipman, who seemed always to be jealous of Matthew Lyon, had reflected upon him in a report that he made to the Legislature on the debts due from persons whose estates had been confiscated by the old Council of Safety, all record of which has likewise been suppressed. Lyon, who was innocent of any wrong doing and well knew Chipman was more deeply implicated in the Haldimand intrigue than himself, resented the imputations by attacking Judge Chipman at Westminster, and engaging in a sharp tussle with him in the room of Mr. Stephen R. Bradley at that place. The old Council of Safety and its Commissioners of Confiscation were clothed with the full sovereign power of the people, willingly bestowed upon them in a time of extreme peril, when the *sic volo, sic jubeo* rule was the only law that bound them. If these records would show how many of

Haldimand's appeals in behalf of the Tories, and demands for the restoration of their confiscated property, had been complied with by the old Council of Safety, public policy at such a crisis and the ever changing current of events no doubt dictated silence, and justified the care shown in avoiding unnecessary publicity. Details of petty calamities, and cruel sufferings of women and children driven from their homes by a righteous enforcement of the penalties denounced against Toryism and treason, presented a moving spectacle to the heart of magnanimous men; but it was not a spectacle to put on exhibition in the gazettes. Governor Chittenden and Matthew Lyon preferred to go about doing good by stealth among the distressed inhabitants of Arlington and the surrounding country, clothing the naked, feeding the hungry, and discharging the other offices of charity, rather than to expose to public gaze the miseries entailed upon the families of Tories by the hard necessities of a time of war and of conflicts with domestic traitors to the American cause. "The Governor took upon himself," says the historian of the town, Rev. F. A. Wadleigh, "the task of visiting from time to time every family, and taking an account of the provisions on hand. Under his oversight, and by his impartial and disinterested counsel, distribution was so made that, although all were pinched, none perished."<sup>a</sup> Moderation is creditable where power is unlimited. The patriots exercised their autocratic powers so rarely and so mercifully that only the one or two strictures of the Federalists led by Judge Chipman, and they, when brought to the test against Lyon, utterly breaking down, ever have been made against Thomas Chittenden and his Council. Once besides

<sup>a</sup>Vermont Historical Gazetteer, I, 130.

the instance mentioned, Chittenden, who was suspected of having strained a point in Ira Allen's favor in some land title, was attacked by the Federalists in the Legislature and that year he was defeated for Governor, but an investigation, as in the attacks on Lyon, proved his innocence of any wrongdoing, and the year after his defeat Thomas Chittenden, the leader of the "Old Guard," was again triumphantly elected Governor, a position he continued to hold nearly as long as he lived.

The rencontre between Chipman and Lyon in the room of Mr. Bradley at Westminster, Vermont, in the beginning of the year 1780, must have caused a deep-seated enmity between the two men. Nearly twenty years afterwards Judge Chipman, knowing the feelings of Colonel Lyon upon the subject of his having been unjustly cashiered from the army by General Gates, and that Lyon would resent any slurs upon his conduct in that affair (for Lyon told Chipman as much), nevertheless circulated the old, forgotten wooden sword slander among Senators and Congressmen at Philadelphia. Lyon retorted by saying: "I could prove that the gentleman from Vermont (Chipman), who was called to give testimony against me, has with the politeness peculiar to a certain country which I will not now name, insulted me and received due chastisement from me for it."<sup>a</sup>

This was a home-thrust, and Lyon offered to bring forward testimony from Vermont to prove that he had chastised Judge Chipman in 1780 for an unwarranted affront. The next day, February 9, 1798, smarting under this retort, Chipman addressed a letter to the chairman of the Committee on Privileges

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<sup>a</sup> *Annals of Congress*, 1798, p. 974.

giving his version of that ancient squabble with Colonel Lyon. It was read in the House, and has found a place in the "Annals of Congress."<sup>a</sup> It is a plain attempt to heap ridicule on a man he did not like. Judge Chipman taxes credulity largely in asking our acceptance of the story that he, quite a small man, even with the aid of Mr. Bradley, was able to lay a big two-hundred pound athlete like Lyon on his back,—not only that, but Lyon, he asserts, was in a towering rage, and yet remained passive and unresisting in the hands of the little Judge, while the latter, assisted by Mr. Bradley, lifted the powerful Colonel into the air, carried him across the room and laid him on his back in the opposite corner. The whole story smacks of Munchausen. It will be observed that Lyon claimed to have chastised his adversary, and offered to prove it. Chipman, himself telling the story, performed his herculean task of flooring Lyon, and returned to his seat to enjoy the joke. Balderdash! The following is Judge Chipman's letter:

\* "Philadelphia, February 9th, 1798.

"Sir: I feel it my duty, in this public manner, to vindicate myself against an unwarranted attack on my character by Mr. Lyon yesterday in the House of Representatives. I learn that he there asserted that he had once chastised me publicly for an affront which I had given him. This assertion of Mr. Lyon is without foundation; it is false. Nor can I conjecture to what circumstance Mr. Lyon could have alluded, unless it might be a ludicrous transaction which took place at Westminster, in the State of Vermont, in the beginning of the year 1780, the circumstances of which I beg leave to relate: The Legislature of Vermont were in session at that place; Mr. Lyon attended as a member; I attended on business. The House of Representatives requested me, though not a member, to examine and report my opinion concerning certain debts due from persons whose estates had been confiscated. I had made a report accordingly, at some part of which Mr. Lyon took offence. One morning Mr. Lyon

<sup>a</sup>Ibid, pp. 999-1000.

called at Mr. Bradley's room, in which I was then doing business. No person was in the room but Mr. Bradley, Mr. Lyon and myself. Mr. Bradley and I sat writing at opposite sides of the table; Mr. Lyon took a seat by the table at the side of Mr. Bradley, and entered into a conversation upon the subject of the report above mentioned. He soon discovered himself to be somewhat irritated, and in a very rude and pointed manner declared that no man who had a spark of honesty could have reported as I had done. Attacked in this rude manner, I retorted in a passion that he was an ignorant Irish puppy.

"Mr. Lyon rose in a violent passion, grasped at my hair that was turned back with a comb, which he broke in the grasp. I was at that moment mending a pen; I instantly rose, intending to revenge the insult with the knife in my hand; but Mr. Bradley had seized Mr. Lyon from behind, round the arms, and drew him back a little; upon which Mr. Lyon, bearing himself in Mr. Bradley's arms, threw his feet upon the table to kick across. The awkward appearance of Mr. Lyon at this moment and the grimaces of his countenance provoked me to laugh. I dropt the penknife, seized Mr. Lyon's feet, and in this manner, with the help of Mr. Bradley, who still kept his hold, carried him across the room and laid him on his back in a corner. Mr. Bradley and I returned to our seats, laughing very merrily at the scene. In the meantime Mr. Lyon rose from his corner, stood a short time in apparent agitation, and without uttering a word. At length he turned upon his heel with these expressions: 'Damn it, I will not be mad'—forced a laugh, and left the room. Nothing ever afterwards passed between Mr. Lyon and myself upon this subject. I therefore repeat that Mr. Lyon's assertion is wholly without foundation.

"I ask pardon for the trouble I have given the House upon this business

"And am, with respect, etc.,

"NATHANIEL CHIPMAN."\*

The impeachment of Matthew Lyon by the Legislature of Vermont on the recommendation of the Council of Censors, and his trial and conviction by the Governor and Council, together with his appearance before the latter body after its decision was rendered against him, when the whole proceedings

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\* Annals of Congress, 1798, pp. 999-1000.



were summarily squelched, the State itself and not Lyon paying the costs of prosecution, have been digested and will now be given in historical sequence for the first time. This account is scattered through long and tedious proceedings on other subjects, and is practically buried away among the musty memorials and worm-eaten lumber of the State archives. The author has been at no little pains to dig out this record, but as it has never before seen the light in a collected and intelligible shape its historical value in vindicating Lyon from unfounded aspersions justifies the compilation. It may be added that Lyon's old enemy, Nathaniel Chipman, was one of the managers of the impeachment on the part of the Assembly. *Hinc illae lachrymae.*

"Council of Censors. The first Council met at Norwich in June, 1785; at Windsor in September following, and at Bennington in February, 1786, and revised the entire constitution. \* \* \* The Council also instituted the impeachment of Matthew Lyon by a resolution requesting the Assembly to impeach him. This last fact is stated in Slade's record in a note at p. 530."<sup>a</sup> "October 24 Colonel Barrett was again convicted, suspended for six months and required to pay the costs of prosecution—£11 19s. At the same session Matthew Lyon was impeached for refusing to deliver the records of the Court of Confiscation to the Council of Censors. Mr. Lyon was convicted and ordered to deliver the record. He was also sentenced to a reprimand and to a fine of £500 on his neglect to appear. He appeared, the sentence was read, and then, on Mr. Lyon's request, a new trial was granted. The

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<sup>a</sup> Vermont Historical Society, II, 491-2.

case seems not to have been tried again."<sup>a</sup> This was a strange way to smother such a matter. Either Lyon was guilty or not. That his "request" was supported by such reasons as to convince the Court that the Council of Censors had burned their fingers by intermeddling with the records of the old Court of Confiscation, wherein the plotters with Sir Frederick Haldimand may have kept records which might lay bare the secrets of that intrigue, becomes strongly apparent by the inconsequential backdown of the impeachers after Lyon appeared and made answer or request for a new trial. Searching further for details which might throw light on this persecution rather than prosecution, the present writer has unearthed the following particulars:

"M. Lyon's impeachment. Record of the Governor and Council at the session with the General Assembly at Windsor."

"Saturday, October 15, 1785. \* \* \* A bill was received from the Council of Censors impeaching Col. Matthew Lyon 'for refusing to deliver to ye order of this Board (viz.) The Council of Censors the Records of Confiscation, and was read.'"<sup>b</sup>

"Monday, October 17, 1785. \* \* \* On motion ordered that to-morrow morning 10 o'clock be assigned for the trial of Colonel Matthew Lyon on the impeachment ordered by the Council of Censors; and that a copy of this order be transmitted to the General Assembly (now sitting) by the Secretary, that they have opportunity to give necessary order to the prosecution of said cause."

<sup>a</sup>Vermont Historical Society, II, 428; MS. Assembly Journal, Vol. II, 498-9.

<sup>b</sup>Gov. and C., III, 81.

"Tuesday, October 18, 1785. According to yesterday's order the Council resolved themselves into a Court for the trial of impeachments, his Honor, the deputy-governor" (Paul Spooner),<sup>a</sup> "in the chair. The trial of Matthew Lyon, Esqr., came on, it being on an impeachment brought against him by the General Assembly for 'knowingly, wilfully and corruptly refusing to deliver the Records of the late Court of Confiscation to the order of the Council of Censors.' The said Matthew Lyon being called to plead to said impeachment, plead not guilty, and put himself on the Court for Tryal. Evidences were educed for and against the prisoner and after the arguments made use of therefrom, and from the nature of the cause, the decision was submitted to the Court. Adjourned."

"Wednesday, 19th October, 1785. Court met according to adjournment and resumed the consideration of said cause for judgment, and after deliberation thereon, came to the following determination, vizt: This Court consider and adjudge that the said Matthew Lyon is guilty of the crime alleged against him in the impeachment. Therefore order that he deliver the Records of the late Court of Confiscation to the Honorable the Council of Censors, taking their Rect. And receive a reprimand from the president of this Court; And on his neglect or refusal immediately to attend to and comply with and perform the same that he pay a fine of five hundred pounds £ money to the Treasurer of this State, and that he also pay cost of prosecution. Adjourned to 2 ock p. m. Met according to adjournment. The said Matthew Lyon, Esqr., appeared in

<sup>a</sup>The Chipman party evidently took advantage of the absence of Governor Chittenden, Lyon's father-in-law, from the chair.

Court when the preceding sentence of the Court was read, whereupon the said Matthew Lyon, Esqr. moved the Court for a new trial, alleging as the reason for his request that his cause had not been rightly understood and defended before the Honorable Court; the Court taking the same into consideration ordered that the said Matthew Lyon, Esqr., be allowed a new trial agreeable to his request, and that Friday next 10 o'clock in the morning be assigned for the said trial to commence."<sup>a</sup>

But Friday came and went, and no trial took place. Potent indeed must have been that request of Colonel Lyon. That some political manoeuvre or attack was hidden under this proceeding seems probable, for the Governor of the State, who was president of the Court, was absent, and Judge Chipman was one of the managers against the defendant. Yet Lyon neither paid 500 pounds penalty, nor received any reprimand, nor as will appear further on, did he pay a cent of costs of the prosecution of the case. He stamped out the whole trial and judgment of the Court by what he told his prosecutors, but not one syllable is recorded of what that sledgehammer speech contained. The case fell through, and the greatest injustice was done to the defendant by the suppression of the record of what must surely have been a triumphant vindication of his personal and official character from a serious charge affecting both. That he was held absolutely blameless is shown by the tell-tale fact which the author has dug out of another and disconnected part of the records of the Court,

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<sup>a</sup> Gov. and C., pp. 83-4.

namely, that the State itself, and not Lyon, paid the costs of the prosecution. Here is the record:

"Adjourned from Friday to Monday next." But before adjourning on Friday this tell-tale resolution was adopted by the Court, which shows that Lyon had won, and that his enemies took refuge in the appointment of a committee to beat about the bush in another direction.

"Resolved that a committee be appointed to join a committee appointed from the General Assembly to take under consideration the proceedings of the Court of Confiscation, the Commissioners of Sales and Sequestration, and the state of the titles of those who have purchased confiscated estates, state facts and make report. The Assemblis Committee, Mr. Slumway, Mr. Chipman, Mr. Knoulton, Mr. Tilden and Mr. Loomis. Members of Council, his honor the deputy govr and Mr. Robinson—Adjourned."<sup>a</sup> It thus appears that the Assembly took the initiative in this abandonment of the attack on Colonel Lyon. The finale was the payment of the costs by the State, and that is stated in the following extract from the records of the Governor and Council:

"Wednesday, 26 Oct. 1785.

"Resolved that a committee be appointed to tax the bills of cost in the cases of Colonel Lyon and Justice Barrett's impeachments. Members chosen Mr. Fletcher and Mr. Porter.<sup>b</sup>

"Resolved that the Treasurer be directed to pay unto Israel Smith, Esq<sup>r</sup>, the sum of two pounds twelve shillings and 4d £ Money out of some of the Hard Money taxes, it being the bill of cost on the trial of Colonel Matthew Lyon on impeachment. The said bill of costs is as follows, viz<sup>t</sup>.

<sup>a</sup> Ibid, p. 87.

<sup>b</sup> Ibid, p. 92.

The impeachment .....	£0	1
Two attorney fees, 15s.....	1	1
One subpoena .....	0	
Service .....	0	
One travel six miles.....	0	
Attendance one day.....	0	
	£2	1

"This bill was examined and taxed by the Hon.<sup>ble</sup> Samuel Fle and Thomas Porter Esq<sup>r</sup>, by Order of Council."<sup>a</sup>

Poor Justice Barrett did not fare so well.

"Thursday, 27 Oct. 1791

"The bill of costs in the case of Col. Barrett's impeachment on trial being committed to Mr. Niles and Mr. Fletcher to examine and tax (is) as follows to the amount of £11, 19, 0, viz<sup>t</sup>." (A blank for items on the record is not filled.)

And one year later an execution issued against the Justice as appears by the following entry:

"Thursday, 26 Oct. 1792

"An execution issued against John Barrett Esq<sup>r</sup>, for £27, 12s of the suit of impeachment.

"Signed by Order of Council

Vermont writers have always been in doubt as to the outcome of this prosecution of Colonel Lyon by somebody interested in getting hold of the records of the Court of Chancery. The attempt to intimidate Lyon by fine and imprisonment utterly fell through, the State was saddled with the case and the tell-tale record was practically suppressed. Here for the first time a connected narrative of this very tricky transaction is presented to the public, and especially to the people of Vermont, who have always had a kindly place in their hearts for Matthew Lyon. Truth in the end cannot be kept back

<sup>a</sup> Ibid, p. 93.

<sup>b</sup> Ibid, p. 112.

Reference has been made in these pages to the intimate relations between Ethan Allen and Matthew Lyon. Their friendship began in the early day while they yet lived in Litchfield County, Connecticut. Allen's iron works at Salisbury must have been the place where Lyon acquired intimate knowledge of the iron business in which he was afterwards so extensively engaged in Vermont. His marriage in Connecticut to Miss Hosford, a niece of Ethan Allen, confirmed their relations, and the intimacy between the two families continued to be kept up in Vermont in the closest ties of friendship. Lyon named one of his daughters Loraine, after Loraine Allen, as a compliment to and mark of his affection for the favorite daughter of General Allen. Of the latter lady many anecdotes are related by Vermont chroniclers, of her likeness to her celebrated father, both in character and person, and even some say that she shared to a certain extent in her father's scepticism in matters of religion. But woman's nature shrinks from infidelity, and the story runs that Loraine Allen in her last sickness asked her father, "Whose faith shall I embrace, yours or that of my mother?" The redoubtable Ethan, forgetting his "Oracles of Reason," and deeply moved, answered, "That of your mother." Whether authentic or not, the story has come down to us, and President Dwight has made it the text of a good homily. Rev. F. A. Wadleigh, in his interesting chronicles of Arlington, has some reminiscences of Loraine Allen, whose vein of humor sometimes ran into odd conceits. She was very much attached to Colonel Lyon. He often charmed her by descriptions of his native county in Ireland, the Vale of Avoca within its borders, and the enchanting scenery of the Golden Belt. One day, after listening to an animated story of

Wicklow by the Colonel, she quaintly changed the subject death, made a sport of dying, and told him she meant soon to leave the world, and had selected Ireland as her place of exit. The anecdote is related by Rev. Mr. Wadleigh, who says: "She asked Colonel Lyon, who was very fond of her, if he had any messages to send to his friends in the old country for she expected to go by the way of Cork."<sup>a</sup>

Fanny, the youngest daughter of Ethan Allen, was of a more serious temperament than her sister. She became a convert to the Catholic Church, and a member of the Sisterhood or Convent *Hotel Dieu* in Montreal. "Multitudes of New England people visiting Montreal," says the writer of a book published at Burlington, Vermont, in 1886, "flocked to the Convent, begging to see the lovely young nun of the Hotel Dieu, who was the first daughter New England had given to the sacred enclosure, and whom they claimed as belonging especially to them through her connection with their favorite Revolutionary hero. So continued these interruptions that she was driven at length to obtain the permission of the Mother Superior absolutely to decline appearing in answer to such calls, except when they were made by friends of former days, for whom she still preserved and cherished the liveliest affection."<sup>b</sup>

The married life of Colonel Lyon was a happy one. Four children were born to him. His wife lived for twelve years after her marriage to him, and died at Arlington, the place of residence of her husband, in the year 1782.

<sup>a</sup> Vermont Historical Gazetteer, Vol. I, p. 135.

<sup>b</sup> Catholic Memoirs of Vermont and New Hampshire, p. 22. Burlington: 1886.



The bereavement was a severe one. Lyon, with strong family affections and domestic tastes, became a widower with four motherless little children to maintain and educate. But he took paternal pride in the duty, and had the comfort and happiness of rearing them well, and of seeing them develop into fine characters and ornaments of the social life of the community. He was becoming wealthy and abundantly able to gratify his fondness and ambition for his children.

The many stirring scenes in which they had mingled, and their joint work of crushing out Toryism at Arlington, which before had been the British stronghold in Vermont, brought Governor Thomas Chittenden and Matthew Lyon into habits of intimacy and devoted personal friendship. The Colonel was always a welcome guest at the fireside of the Governor. The destinies of Vermont at that day were largely controlled by these two remarkable men. Indeed, their operations and success in propagating American ideas and American sentiments of loyalty in this seat of rank Toryism proved the pivotal or turning point in shaping the future policy of the Green Mountain State. It was a stern struggle, the work constant and engrossing. Relief and relaxation came in the evening in the home circle of the Governor, where cares of State gave place to the charms of female society, and the merry music of wheel and distaff in that age of Homespun made the hearthstone of domesticity peculiarly cheerful and soothing. Clever sons and comely daughters to the number of eleven were the legacy or jewels of the Governor.

General Isaac Clark, known as "Old Rifle," a brave soldier of two wars, became the husband of Hannah Chittenden in the year 1779. Her own father performed the ceremony, and gave

his daughter's hand to the man who had won her heart. "Old Rifle" was town clerk of Ira, Rutland County, and those curious in turning over ancient memorials may still find this item in the record book of the town:

"Ira, 5th September, 1779. Then recorded the marriage of Isaac Clark and Hannah Chittenden on the 18th day of January, 1779: Married by Governor Chittenden and recorded by Isaac Clark, town Clerk."<sup>a</sup>

Beulah, the fourth daughter of the Governor, is described in contemporary chronicles as a very intelligent and pretty young lady, who, at the age of sweet sixteen, became the wife of George Galusha, son of a future Governor of the State. Young Galusha lived but a year or two, and Madame Beulah had put on the weeds of widowhood at about the very time Colonel Lyon became a widower. He was a little past thirty, she scarcely twenty years of age. Is it strange that the two young people sympathized with each other in their mutual bereavement—any wonder that pity in a short time melted into love, and in a year more another marriage assuaged grief of widow and widower, and made Matthew Lyon and Beulah Galusha the happiest young couple in the town of Arlington? I have not had the opportunity to examine the old Arlington records and find out whether the father of the bride, as in likelihood he did, again performed the marriage ceremony, tied the knot, and gave away the hand of his daughter to her liege lord. But this is known. No more devoted couple ever entered into the holy state of matrimony at Arlington than Matthew Lyon and the daughter of Governor Chittenden. A large and interesting family of sons and daughters, a quiver full, blessed their

<sup>a</sup> Vermont Historical Gazetteer, Vol. III, p. 779.

long union of nearly forty years duration, during the course of which, with admirable spirit and cheerfulness, the wife went about her duties, and the husband, as we are told by the learned antiquarians White and Walton, became one of the most successful business men and political leaders in Vermont, and, as we are further told by the distinguished historian Collins, "the most remarkable character among the public men of southwestern Kentucky."<sup>a</sup> Matthew Lyon, next to Alexander Hamilton, was the most powerful antagonist of one President, John Adams, who put him in a dungeon; and he also became the most serviceable friend of another President, Thomas Jefferson, by casting the vote that elected him.

Colonel Lyon was returned to the Assembly four times during his residence in Arlington, becoming well known as an effective and eloquent debater and practical man of affairs. The records show that he was selected to serve on the leading committees of the Legislature. He also held during his residence at Arlington the positions of Deputy Secretary of the Council, Secretary of the Board of War, and other offices of importance.

He was one of the grantees of the town of Fair Haven when its charter was obtained from the Legislature, and having already bought several valuable tracts along Poultney river Colonel Lyon removed from Arlington in the latter part of the year 1783 and established his home in the new settlement, becoming the founder and father of the town.<sup>b</sup> Fair Haven was originally known on account of the mills, the factories and the furnaces he established there as "Lyon's Works."<sup>c</sup>

<sup>a</sup> Collins's *History of Kentucky*, Vol. II, p. 491.

<sup>b</sup> Adams's *History of Fair Haven*, p. 190.

<sup>c</sup> *Ibid.*, p. 62.

We have the testimony of an eye witness to his advent at Fair Haven, one who beheld the white canvas emigrant train of the pioneer as it wound along and forded the river to its destination. "It was in 1783," I quote from Miss Gilbert's "Reminiscences of Fair Haven," "that a little girl stood on the bank of Poultney river watching some loaded teams ford the stream. That girl was Sally Benjamin, who lived until a few years since. The wagons contained Colonel Lyon with his family and goods, on their way to found the town of Fair Haven, of which he was one of the proprietors."<sup>a</sup>

It would have filled old Jabez Bacon with delight to have beheld his Ancient Woodbury apprentice all aglow with Yankee enterprise, laying the foundations of a town and renewing the face of the earth on Poultney river. Colonel Lyon used the streams for mills and factories, and the forests for the manufacture of basswood paper; the first record of such an invention the writer has found in the history of those times. The broken mortars and cannon and small arms about Ticonderoga, and on many a historic field of fight in the Revolution were beaten literally into plough shares, and licked into new shapes for agricultural purposes in the blazing furnace blasts along Poultney river. The redemptioner who was not ashamed of "the two bulls that redeemed him" was fashioning the broken implements of war into bar iron, nails, hoes, spades, shovels and tradesmen's tools, like another Mulciber at work among his mechanical arts. He reclaimed the wilds of nature, and made the place the abode of a thriving settlement of Green Mountain Boys. President Timothy Dwight, as we have seen

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<sup>a</sup>Rutland County Centennial Celebration. R. Co. Hist. Soc. 1882. Vol. I, p. 146.

in a former chapter, found little to please him in this part of Vermont until he reached the village of Fair Haven, and he there paused to admire Lyon's Works. The graphic Dr. J. A. Graham, in his "Sketch of Vermont," was full of commendations of the intrepid pioneer who built up this flourishing town. The editor of the "Records of Governor and Council," the Hon. E. P. Walton, was equally emphatic in appreciation of Matthew Lyon's extraordinary business capacity. Even the last man in the world from whom to expect it, Henry B. Dawson, in the New York "Historical Magazine," finds room for praise.

"Fair Haven is generally a rough, disagreeable township," says President Dwight. "The only exception to this remark, within our view, was on its southern limit, along Poultney river, where there is a small tract of handsome intervals. The only cheerful object which met our view before we reached the river was a collection of very busy mills and other water works."<sup>a</sup> These were in the town founded by Matthew Lyon.

"Fair Haven," says Dr. Graham, "joins on Skeensborough, and is the most flourishing town in the State. It owes its consequence to its founder, Colonel Lyon, whose enterprise and perseverance in carrying on manufactories have been of infinite utility to the public, to the gratitude of which he has the strongest claims. He has erected a furnace for casting all kinds of hollow ironware, and two forges, a slitting mill for the making of nail-rods, a paper mill, a printing press, and corn and saw mills. \* \* \* It is a curious fact that Colonel Lyon has executed a good deal of printing at his office, on paper

<sup>a</sup> Dwight's Travels in New England and New York, II, 455.

manufactured by himself of the bark of the basswood tree, which is found to answer every purpose for common printing. He has held some of the first offices in the State, and no man in it can be found more qualified to do so, as his knowledge of the finances and situation of the country is scarcely to be equalled; nor does his integrity ever suffer him to lose sight of the real good of the people. \* \* \* His friendship and generosity are as great as his ambition. \* \* \* His passions and all his pursuits flow from the noblest feelings of his heart; they are all exerted for the benefit of mankind, and they only endear him to my esteem, but secure to him the respect and affection of all those who are happy in his acquaintance or who have a knowledge of his character.”<sup>a</sup>

“Matthew Lyon,” says the discriminating Mr. E. P. Weston, “deserves to be ranked among the remarkable men of Vermont. \* \* \* He was a terse and vigorous writer and an able debater. \* \* \* However valuable to the State the services of Matthew Lyon may have been in the many public offices he filled, it may be doubted whether his influence as an enterprising and energetic business man was not even more valuable. He was daring in his enterprises, and had he either neglected politics and given his intellect and skill to business or given less attention to business and more to culture in literature and statesmanship, he might have been an eminently successful man. \* \* \* He was on the whole probably more useful to the public than to himself.”<sup>b</sup>

The “Historical Magazine,” of New York, generally spiteful when Vermont or Vermonters was the subject of

<sup>a</sup>Dr. John A. Graham’s “Sketch of Vermont.” An interesting book, dedicated to the Duke of Montrose, a cousin of its author.

<sup>b</sup>Records of Governor and Council, I, 123 et seq.

mark, quoted with approval from the "Salem Gazette" the following notice of Matthew Lyon:

"Basswood paper. Several papers refer to this article as a recent invention. It is not so. As early as 1796 a newspaper prepared from basswood was printed in Vermont by the celebrated Matthew Lyon, bearing the title of 'The Scourge of Aristocracy and Repository of Important Political Truth.' It was in this paper that Lyon published the libel for which he was tried and convicted under the famous Sedition Law."<sup>6</sup> There are two or three inaccuracies in this article, but the remark on the invention of basswood paper by Lyon is pertinent and curious.

The newspaper referred to was not established until 1798, and the letter of Lyon upon which he was convicted of sedition by his political enemies was published in the "Windsor Journal," an unfriendly paper, and not in the "Scourge of Aristocracy," a friendly one. Fortunes in wood pulp have been made in our own age, and ex-Senator Warner Miller, of New York, once bore the nickname of "Wood Pulp Miller." But old Colonel Lyon, in the forests of primitive Vermont, was the real inventor in the last century of the process for making paper from basswood.

At this point in the career of Lyon, I am for a moment tempted to pause. It was here in the town of Fair Haven, which he founded, that the remarkable character of the man was brought into full play, his best traits were developed, and his indomitable energy was concentrated in useful schemes for the State of his adoption. Here he evinced unselfish zeal for the public good; here he built up numerous works of internal

<sup>6</sup> Historical Magazine and Notes and Queries, Nov. 1867, p. 308.

improvement; here showed heroic attachment to the cause of State Rights; here proclaimed and enforced persistently and inflexibly the rights of the common people against arbitrary power. Fleeing from king-tainted Europe, he had ever been a Democrat from his childhood in Wicklow, where he consecrated himself to freedom in the blood of a murdered father; at the Dublin printing case, where perhaps Charles Lucas uttered the same battle cry for man; in Connecticut, where he joined the Sons of Liberty against the Stamp Act. His loathing of monarchy and all arbitrary and centralized power was inbred and almost fanatical. As a Green Mountain Boy, member of the old Council of Safety of Vermont, in the ranks of Warner and Stark at Bennington, and in the Continental army at Saratoga, where tyranny received an almost fatal blow, Matthew Lyon had become a champion of American Democracy, a people's man as distinguished from an aristocrat, a disciple of the school of Thomas Jefferson, his political idol. What Lyon believed, that he was pretty sure to practice. He was astonished to see Tories growing in influence after the close of the war, with the Federalists led by Hamilton affecting English forms and precedents, and only waiting, though most happily waiting in vain, for Washington to nod assent in order to clap a crown upon his head.

Thus Matthew Lyon became a Democrat of Democrats, and regarding the Federalists as thinly disguised Tories, he waged ceaseless warfare against them. As Jefferson stripped for the fight in Virginia, grappled with primogeniture, the tithe-gatherers of the Established Church and the enemies of religious liberty, so Lyon sprang into the breach in Vermont in the same fight, defeated the Federalists after a prolonged bat-



, and became the pioneer Democrat of New England. While forgiveness is wise and magnanimous in governments, and even English loyalists were included in the scope of American amnesty for the past, it is nevertheless true that many wrong Tories, stout Britons in all but the name, sought citizenship after the Revolution and enrolled themselves as members of the Federal party. The tone and complexion which they gave to that party led finally to its downfall and extinction after the war of 1812. Naturally the great apostle of the opposite school of Republicanism became the object of their most bitter attacks. Scrape a Federalist, and if you should not find a Tory, his distinguishing mark was very apt to be antipathy to Thomas Jefferson, and in Vermont to Matthew Lyon. But Thomas Jefferson was rather helped than impeded by this aversion. Considering its source it was quite logical, and viewing its effects very beneficial to the object of its enmity. Patriotic Americans rallied to his standards everywhere, the more the Federalists abused the author of the Declaration of Independence. That celebrated statesman, Daniel Webster, visited the Sage of Monticello shortly before the latter's death, and afterwards declared to Peter Harvey that no other American had exerted so large an influence as Jefferson over the people and destinies of the United States.

The number of Tories who became citizens after the Revolution was unexpectedly large. There were immense numbers of them, as Sabine's "American Loyalists" reveals to us. The late Henry Ward Beecher once went so far as to say that the best blood in America coursed in their veins, and strangely enough he took occasion to say it in 1883, at the centennial celebration of the evacuation of the city of New York by the

British, when people were in the humor rather for American than English buncombe.

Between Lyon and the Tories or Federalists there was implacable hostility. At him they hurled shafts of malice, ridicule and opprobrium; at them he levelled barbed arrows of denunciation and scornfully fierce invective. Indeed the character of Lyon is a study. His convictions ran clear to the bottom of subjects, and nothing he said or did was commonplace. Like his antagonist, old John Adams of Braintree, a fighting doctrinaire in council, and like John Stark at Bennington, a Celtic thunderbolt in war, he never appeared dimly in any of the transactions of his day, but always a clear cut substantiality in every line and lineament; never turgid, never a Gradgrind, but always in bold relief, a tribune of the people.

No one can read the very full "History of Fair Haven," by Mr. C. N. Adams, without being impressed with the business ability and public spirit of Matthew Lyon. Evidently he is not a favorite of that painstaking and industrious chronicler, but in Mr. Adams's dry details of names of settlers, whence they came, who they were, how much land they purchased, their avocations and the like, through the whole long account of the people of Fair Haven and their doings in the olden day, the presence of Matthew Lyon is felt and seen as that of the central figure of a history not written to celebrate his exploits, or with any partiality or leanings towards him personally. That he was a man of action, with a power to lead others, the highest gift of Heaven to man, as John Randolph once said, is demonstrated by Mr. Adams, even though that writer has not a particle of coloring in his book, but confines it to dry statistics, local happenings, and names, dates and land titles, of in-

terest solely to the people of the town. There Lyon was counseling, constructing and taking the initiative among his neighbors; choosing business sites which, after a century are business sites still, filling the place with diversified industries, in a word he was the founder and father of the town. Mr. Adams chronicles the names of some notable Vermonters who were natives of the place; many well-known and some distinguished men have lived there; but the pioneer who first came and laid it out is still after more than a hundred years the most conspicuous and remarkable personality in the history of Fair Haven. Those who knew him best liked him most; no office was too high for their favorite; no man in their opinion so well fitted to fill it as Matthew Lyon.

At the first election of a United States Senator by the Legislature, in 1791, the name of Colonel Lyon appears among the favorites of the people for that office. The following extract from "Records of Governor and Council," refers to the senatorial election:

"In Council Monday,

"Windsor, 17 October, 1791

"Resolved to join the House in Grand Committee at 2 o'clock, P. M. for the purpose of Electing Senators agreeable to the order of Saturday. \* \* \* The Governor and Council joined accordingly and compared the nomination, when the Honorable Moses Robinson and Stephen R. Bradley, was declared to be duly Elected Senators to Represent this State in the Congress of the United States."

"Neither the official records nor the Vermont newspapers give the names of the unsuccessful candidates; and the only one discovered is a copy in the 'Vermont Journal' of October 18, 1791, of a humorous handbill which was posted in

Windsor on the day preceding the election. It characterized the election as 'Federal Racing,' and described the racers thus:

"EASTERN RACERS.

- 'The Past-Time—Stephen R. Bradley.
- 'Peacock—Possibly Elijah Paine.
- 'Pretty Town Horse—Old Roger Enoa.
- 'Narragansett Pacer—Jonathan Arnold.
- 'Connecticut Blue—Nathaniel Niles.

"WESTERN RACERS.

- 'The Old Script—Moses Robinson.
- 'Jersey Sleek—Isaac Tichenor.
- 'Figure, Bold Sweeper—Probably Matthew Lyon.
- 'Northern Ranger—Probably Samuel Hitchcock.'"<sup>a</sup>

At the first, second, third and fourth Congressional elections in Vermont, the friends of Matthew Lyon supported him enthusiastically for that office. Although defeated three times in a close poll, the Colonel was not discouraged, but was more determined after each defeat to carry the banner of Democracy to victory. It was this grit and unconquerable purpose that drew from Rev. Pliny H. White the following remarks in his Lyon address:

"The distinguishing traits in Matthew Lyon's character were boldness, energy, perseverance and a resolute will. No undertaking was too hazardous for him to enter upon, no obstacle too great for him to encounter, no delay long enough to weary him out. From every defeat he rose like Antaeus from mother earth, strengthened for another trial. Once having fixed his eye upon an object to be acquired, he never lost sight of it. The prize at which he aimed might repeatedly elude his grasp, but he pursued it none the less steadily and persistently."<sup>b</sup>

<sup>a</sup> Vermont Governor and Council, Vol. IV, pp. 5 and 6.

<sup>b</sup> Rev. P. H. White's Address on Matthew Lyon, p. 25.

At the Presidential and Congressional elections of 1796, when Adams and Jefferson were elected President and Vice-President, Matthew Lyon was elected to Congress from the Western part of Vermont, the State being entitled to two members, one from the West, the other from the East, and he repaired to Philadelphia, then temporary seat of the Federal Government, to enter upon his new field of duties in the month of May, 1797.

The town of Fair Haven was organized August 28, 1783, whether immediately preceding or after Colonel Lyon located his family in the place is not clear. He was himself no doubt on the spot, as he at once took the leading part in affairs, and all looked up to him as their directing spirit. He built a forge, a gristmill, a papermill and sawmill, and became an extensive manufacturer in iron as well as in paper and lumber. At heavy cost and with great labor he transported the requisite machinery from Lenox, Massachusetts. He was well acquainted with the business of ship building. In a letter to President Monroe many years later, June 7, 1817, he said: "I have built many sea vessels on my own account, for which I have searched and selected the timber. The construction of ships has been a subject on which I have read much and thought much. I have conversed with ship builders, ship owners, and timber getters. I for many years followed getting ship timber on Lake Champlain for the London market."

So sound was his business judgment and particularly his knowledge of the proper sites for his various branches of trade, that Rev. Mr. White, the Vermont antiquarian, in his address before the Historical Society of that State, declared that they were used for similar purposes in 1858, seventy odd years after

Lyon had selected them. Later on he started a printing office in his papermill, and commenced in 1793 the "Farmer's Library," a small sized newspaper, the editorial management being divided between himself and his son James, the printer, Mr. Spooner, supplying local articles. At the time this paper was established there were but three other papers in the State, the Bennington "Gazette," the Windsor "Journal" and the Rutland "Herald." Colonel Lyon continued his paper for three or four years, changing its name to the Fair Haven "Gazette." His object was not to make money, the sparse population rendering a large circulation and remunerative advertisers out of the question. Indeed he conducted it as a losing business throughout. But so marked was the spread of Federalism or Toryism to the eastward that Colonel Lyon was willing to lose money rather than that the people should be deprived of an organ of those doctrines and sentiments which had been so popular in the time of the Revolution, and without which that momentous conflict could not have been maintained. The "Gazette" accomplished its purpose and kept the people in line with the sound Republicanism of '76. Not content with giving them a lively newspaper, the Colonel sought to cultivate among the early settlers a wholesome taste for literature and useful knowledge. He issued a number of books from his press, and in the list I find a "Life of Benjamin Franklin," and a novel called "Alphonso and Dalinda." After he left Fair Haven fifty-six years elapsed before another book was issued in the town. During an exciting political contest in his district in 1798, when he was again running for Congress, he sent some communications to the Rutland "Herald," but the editor, Dr. Samuel Williams, refused them a

place in his columns. Colonel Lyon would not be muzzled, and forthwith began a semi-monthly magazine in Fair Haven, bearing the defiant and sounding name of "The Scourge of Aristocracy and Repository of Important Political Truth." The first number was issued October 1, 1798, and the subscription price was \$3 per annum. It was published for one year. "It was a duodecimo," says Mr. White, "of thirty-six pages, nominally edited and published by James Lyon, but containing much from the pen of the Colonel himself."

It was to the "Scourge of Aristocracy" that Lyon's indictment under the Sedition Law was really due and may be plainly traced. The first number of the "Scourge" appeared on the first of October, 1798, and four days after, October the 5th, 1798, he was indicted. He was too prudent to leave a loop-hole in his articles in that paper for the Federalists to stick a peg there and hang a prosecution on it against him. But loop-holes and pegs are not necessary for men bent on mischief with arbitrary power in their hands. The "Scourge" made the flurry in other directions, and also made his enemies still more astute to catch him. Fourteen days before the Sedition Act passed Congress Lyon wrote a letter to an individual in Vermont, criticising John Adams in terms which are mildness itself contrasted with the slashing criticisms of our Presidents by latter-day editors. The emissaries of John Adams hunted up this letter and published it in the Vermont or Windsor "Journal" after the passage of the act, and by that *ex post facto* trick circumvented Lyon, and with their Alien and Sedition net landed him safe in prison. The "Scourge of Aristocracy" therefore played an important part in an historic drama, in the first act of which John Adams plucked Matthew Lyon out

of his seat in Congress, and sent him in exile to Vergennes jail; in the second act of which Lyon in his turn, while still a prisoner of State, plucked John Adams out of his seat in the Presidential chair, sent him in exile to Braintree, and won back his own seat in the House. Lyon's letter and quotations from Joel Barlow furnished the loophole, the "Scourge of Aristocracy" supplied the peg, and the liberty of the press became the real issue. Matthew Lyon killed the Alien and Sedition laws as dead as Marley, and John Adams was "hoist with his own petar."

At the sale of the great Brinley library in New York in 1878, a bound volume of "The Scourge of Aristocracy" was sold, and the present writer was a competitor with Yale College for its purchase. I bid \$12.50 for it, but the College, which was a five thousand dollars legatee of Mr. Brinley, to be applied in the purchase of books in his vast library, bid \$12.75 and carried off the "Scourge." That copy is now in the library of Yale College. Another copy is in the Vermont State library.



## CHAPTER V.

BROW BEATINGS AND INSULTS—AFFLICTING PERSECUTIONS  
AND PERSONAL INDIGNITIES—MONARCHIE MASQUE—LYON  
ENTERS CONGRESS—CHIPMAN'S LITTLE STORIES PRECIPITATE  
THE LYON-GRISWOLD FIGHT—CONGRESS A BEAR GARDEN—  
ITS GLADIATORIAL RECORD FOR A CENTURY.

"THE insolent vices of prosperity," according to Gibbon, were among the chief causes which laid the Roman Empire in the dust. During the second administration of Washington the Federalists gained complete ascendancy in Congress, and by the time Adams succeeded to the Presidency the manners and customs of the day were aristocratic, exclusive and rapidly tending to haughty feudal castes in American society. "Pride," says the good Book, "goeth before destruction."

In the Anas,\* Mr. Jefferson calls attention to the growing preference of the Federalists for monarchy:

"December 26, 1797. Harper lately in a large company was saying that the best thing the friends of the French could do, was to pray for the restoration of their monarch. 'Then,' says a bystander, 'the best thing we could do, I suppose, would be to pray for the establishment of a monarch in the United States.' 'Our people,' says Harper, 'are not yet ripe for it, but it is the best thing we can come to, and we shall come to it.' Something like this was said in the presence of

\* "Jefferson's Works," IX, 187.

Findlay. He now denies it in the public papers, though it can be proved by several members."

Under Adams this spirit grew apace, and matters rapidly tended from bad to worse. It was the *Monarchie Masque*, according to Professor George Tucker.

The ladies of the new dynasty of Snobbium Gatherum outstripped their husbands as apists of English aristocracy. In a letter to his wife Mr. Gallatin draws to the life an under study of Mrs. Abigail Adams, the lady of the President. "Philadelphia, 19th June, 1797. I dine next Thursday at court. Courtland dining there the other day, heard *her* majesty, as she was asking the names of the different members of Congress to Hindman, and being told that of some one of the aristocratic party, say, 'Ah, that is one of *our* people.' **S** that she is Mrs. President, not of the United States, but *of* a faction. \* \* \* But it is not right. Indeed, my beloved, *you* are infinitely more lovely than politics." After the words "of a faction," Mr. Adams, the editor, has stars; something interesting is left out. A faithful limner should copy the picture better.<sup>a</sup>

When Jefferson was about to withdraw from public life in 1809, a farewell address recounting his services was presented to him by his friends. One of those services was omitted which the retiring President deemed it proper to mention, as weightier than many other matters thought worthy of praise. "There is one, however," said he, "not therein specified, the *most* important in its consequences of any transaction in *any* portion of my life; to wit, the head I personally made *against* the Federal principles and proceedings during the administra-

<sup>a</sup> "Life of Albert Gallatin," by Henry Adams, p. 185.

tion of Mr. Adams. Their usurpations and violations of the Constitution at that period, and their majority in both Houses of Congress, were so great, so decided and so daring, that after combating their aggressions inch by inch without being able in the least to check their career, the Republican leaders thought it would be best for them to give up their useless efforts there, go home, get into their respective Legislatures, embody whatever of resistance they could be formed into, and, if ineffectual, to perish there as in the last ditch. All, therefore, retired, leaving Mr. Gallatin alone in the House of Representatives, and myself in the Senate, where I then presided as Vice-President. Remaining at our posts, and bidding defiance to the brow-beatings and insults by which they endeavored to drive us off also, we kept the mass of Republicans in phalanx together, until the Legislature could be brought up to the charge; and nothing on earth is more certain than that if myself particularly, placed by my office of Vice-President at the head of the Republicans, had given way and withdrawn from my post, the Republicans throughout the Union would have given up in despair, and the cause would have been lost forever.

"By holding on we obtained time for the Legislature to come up with their weight; and those of Virginia and Kentucky particularly, but more especially the former, by their celebrated resolutions, saved the Constitution at its last gasp. No person who was not a witness of the scenes of that gloomy period can form any idea of the afflicting persecutions and personal indignities we had to brook. They saved our country, however. The spirits of the people were so much subdued and reduced to despair by the X Y Z imposture, and other

stratagems and machinations, that they would have sunk into apathy and monarchy, as the only form of government which could maintain itself."<sup>a</sup>

Among the stratagems alluded to by Mr. Jefferson, was the billingsgate of William Cobbett, the unrivalled scold of American politics. "Cobbettized him," as Sir Jonah Barrington, always happy at turning phrases, styled slanderers, for Cobbett afterwards figured in the British Parliament, and gloried in his chosen name of Peter Porcupine. He was the Federal bulldog, and gnashed at Democrats unmercifully. No sooner had Col. Matthew Lyon arrived in Philadelphia to take his seat in Congress in the spring of 1797, having been chosen at the last election by the people of Vermont to represent them in that body, than the following cartoon appeared in Porcupine's Gazette:

"TUESDAY, 6TH JUNE.

"The Lyon of Vermont. To-morrow at eleven o'clock will be exposed to public view the *Lyon of Vermont*. This singular animal is said to have been caught on the bog of Hibernia, and, when a whelp, transported to America; curiosity induced a New Yorker to buy him, and moving into the country, afterwards exchanged him for a yoke of young bulls with a Vermontese. He was petted in the neighborhood of Governor Chittenden, and soon became so domesticated, that a daughter of his Excellency would stroke him and play with him as a monkey. He differs considerably from the African lion, is much more clamorous and less magnanimous. His pelt resembles more the wolf or the tiger, and his gestures bear a remarkable affinity to the bear; this, however, may be

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<sup>a</sup> "Jefferson's Works," IX, 507-8.

ascribed to his having been in the habit of associating with that species of wild beast on the mountain; he is carnivorous, but not very ferocious—has never been detected in having attacked a *man*, but report says he will *beat women*.

“ He was brought to this city in a wagon, and has several days *exposed* himself to the public. It has been motioned to cage him—as he has discovered much uneasiness at going with the crowd.

“ (Note: It will be seen in the proceedings of Congress, that this beast asked leave to be excused from going with the rest of the members to wait on the President.) Many gentlemen, who have seen him, do not hesitate to declare, they think him a most extraordinary beast.”<sup>a</sup>

The animus of this elegant extract is found in the Note. Colonel Lyon opposed the courtly custom of answering the President's speech by the personal attendance of every member of Congress in the audience room of the Executive. The whole business of such answers, street processions and soft speeches of mutual admiration, first by the President coming to deliver his compliments to Congress, and next of the Congress going *en masse* to deliver their compliments to the President, smacked of king, lords and commons, and was repugnant to the democratic tastes of the new member from Vermont. No longer was “ Mr. Gallatin alone in the House of Representatives,” as Jefferson described him. He had received a positive ally in Matthew Lyon. Nor was Jefferson himself any longer alone in the Senate; at the same time that Lyon took his seat in the House, Andrew Jackson, an unknown Democrat, shortly destined, as Pope said of one Johnson of

<sup>a</sup> “Porcupine's Works,” VI, 16-17.

Grubb Street, to be déterré, was sworn in as the new Senator from Tennessee. It was not a great while before Cobbett's Porcupine opened its broadsides on all three of these Democrats, Jefferson, Jackson and Lyon. I subjoin a specimen of its pleasantries:

"Gimcrack's Museum is now opened for inspection, where may be seen the following curiosities: Wax-work Figures, Paintings and Menage of Beasts.

"1. The identical wooden sword which was girded on the thigh of the hero of Onion River, with the musical notes which accompanied that brave man in his triumphal exit from the camp at Ticonderoga.

"2. The American Orator; representing a member of Congress in solemn debate, spitting in the eye of his opponent, to clear it from the mist of prejudice.

"4. The Pismires out of Office, by Monroe and T. Coxe.

"5. The Political Sinner, from the Flemish School, by A. Gallatin.

"7. Hotspur, by Jackson.

"8. The Fox at Fault, by Thomas Jefferson.

"9. In a convenient detached room may be seen The Vermont Lion; the greatest beast in the world.

"Admittance one quarter of a dollar for grown persons—children at half price."<sup>a</sup>

It must be confessed that Colonel Lyon was here in good company, *pares cum paribus*; three future Presidents of the United States.

One or two features of this cabinet of curiosities call for a word of explanation. How came our old acquaintance, the

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<sup>a</sup> "Porcupine's Works," VIII, 118.

wooden sword, to reach Philadelphia girded on the member of Congress, whom Mr. Cobbett represents as spitting in the eye of his opponent to clear it from the mist of prejudice, and how came it to be brandished so publicly, not only by Porcupine, but in the Halls of Congress? Shabbily enough, indeed. Senator Nathaniel Chipman dug it up from an ancient rubbish heap in Vermont, where in a former chapter the reader has already seen it properly buried from sight with proofs of its silly mendacity and meanness. For uttering similar petty slanders Senator Chipman was once chastised long years before at the town of Westminster, Vermont, by Col. Matthew Lyon. For some reason Chipman had an unaccountable hatred of Lyon. He had unsuccessfully tried to stab his reputation by gathering up widely separated items from the secret documents of the commissioners of confiscation in the old evil days of the Haldimand intrigue, and demanding that Lyon should deliver up the books in which the story of that intrigue was supposed to be contained. We have seen that a committee of which he was a member had procured Lyon to be impeached and fined for not delivering up those tell-tale books, and we have also seen how Lyon came before Chipman's committee and put his foot on the insect brood of slanders which the latter gentleman was trying to propagate against him, and crushing them out forever. There was some motive for Chipman's conduct. What was it? The only one which I can conjecture to have had any rational foundation was a possible desire to get back into his own custody the bogus letter which he once wrote and palmed off on the people of the Grants as a genuine epistle. The secret springs of human action must be known to give accuracy to the portraits of history. Was that Chipman's

motive? Did Lyon have that letter? Most likely he did. He was the Secretary of the Board of Confiscation or War, the son in law of Governor Chittenden, and his most confidential and trusted adviser. Chittenden and Lyon were Democrats; Chipman was a Federalist. Chittenden was once attacked and defeated for Governor by the Chipman party, but at the next election the slanders which had been hatched against Chittenden and used to his temporary detriment, were stamped out, and he was triumphantly re-elected Governor, and held the office nearly as long as he lived. It was a period when things looked dark in Vermont, and the people were distracted, as Hon. James Davie Butler said in his 1846 address, by the "minute conjugation of the verb suspect." The Haldimand intrigue, like the shirt of Nessus, clung tight and could not be gotten rid of, and Mr. Chipman's letter, falsely purporting to have been written by the British General St. Leger, had a treasonable squint, or as General Stark said, "an aspect of iniquity," which perhaps made Chipman uncomfortable and anxious to get it back in his own hands. If Matthew Lyon had that letter in his possession, to his credit be it said, he never made it known, never brought it to Philadelphia, nor waved it in Congress to show how Mr. Chipman once had been in a conspiracy with the enemies of the United States to carry over Vermont to the English side in the Revolution, and make her a loyal colony of the mother country. He was too true a Vermonter, too much of a man for this. And yet had Lyon done so, he would have had far more justification for such a charge than Chipman had in brandishing a wooden sword over Matthew Lyon, because the letter was a fact and the wooden sword a lie. Mr. Henry Clark, of Rutland, Vermont, tells the



story of the bogus letter succinctly in his address upon the "Historical Value of Monuments," delivered at Castleton, January 15, 1881, before the Rutland County Historical Society. "One hundred years ago," says Mr. Clark, "scenes were transpiring at that little fort pregnant with the weal or woe of the young republic of Vermont. Here practically was settled whether Vermont should retain her independence or give her allegiance to the British Crown. \* \* \* In September, 1781, Ira Allen and Joseph Fay met the British commissioners in secret conclave at Skeensboro (Whitehall) to perfect their negotiations and renew the armistice. The Governor was to be appointed by the King, and the Legislature by the people. \* \* \* It was at this time that Sergeant Tupper was killed by one of St. Leger's scouts. General St. Leger decently buried the body, sent his clothing to General Enos with an open letter to Governor Chittenden, making apology for killing him, saying his picket not knowing the situation. As the letter was not sealed its contents became known among the officers and men, \* \* \* and presently the whole Legislature were awake to the subject. \* \* \* Governor Chittenden lost no time in assembling the Board of War at his room, all of whom were in the secret, and happened to be present. \* \* \* The Board of War at once sent for Nathaniel Chipman of Tinmouth, as counsel, and let him into the secret, and it is said that he advised the course taken (to make out a new set of letters) and prepared the bogus letters which were read. Treason was snuffed and the excitement intense. \* \* \* Many doubts have been cast upon the authenticity of this transaction, but in the light of history its real-

ity and truth have been revealed." (Rutland County Hist. Soc., Vol. I, pp. 182, *et seq.*)

Nathaniel Chipman, son of a blacksmith, author of the bogus letter which was read before the Legislature at Charlestown, Vermont, in order to deceive the people, aroused over a suspected treasonable correspondence during the Revolution with a British officer, was now in 1797 a Senator of the United States from Vermont. He circulated malicious stories among congressmen to the prejudice of Matthew Lyon, and descended from his high station to defame a fellow Vermonter and whisper stale, refuted slanders to Roger Griswold and others relative to the cashiering of Lyon by Gates. If he had told only the truth, for example, the story of the two bulls in which Colonel Lyon took much pride and which a modern writer, Rudyard Kipling, in his "Mowgli's Oath—" By the bull that bought me,"<sup>a</sup> has borrowed from the old Colonel with evident admiration of Lyon's epigrammatic style of employing it when speaking of his exploits, that might be excused on the score of political rivalry. But when he sat told like at the ears of congressmen from other States whispering gross fabrications and venomous slanders against a representative from his own State, which, when they were repeated in his presence were repelled by that representative, and precipitated a disgraceful fight on the floor of Congress, the question arises who was responsible for the fight, Chipman the back-biter, or Griswold and Lyon the fighters?

Colonel Lyon took his seat in the House as a new member May the 15th, 1797, when the Federal Government was but eight years old. Already in Washington's first cabinet two

<sup>a</sup> New York "Tribune," July 23, 1899.

commanding figures had appeared. Mr. Jefferson, the great apostle of Democracy, and Mr. Hamilton, the great apostle of Centralization. These two men saved the country from disunion at the outset by a compromise between the North and South upon the national assumption of the debts of the States, and the choice of a seat of government. But Mr. Jefferson regretted his share in the compromise, and Mr. Hamilton, having control of the public purse, soon dominated the Cabinet of Washington. Great strategist as he was in statecraft, Hamilton confronted in Jefferson the only man in America who was his superior in handling large questions of public policy. As soon as he was convinced that Hamilton would win, for Washington was on his side, and all the others were but pawns in his hands, Jefferson's next move was a masterly retreat.

His unerring judgment in retiring from the Cabinet probably saved him from the fate of poor Edmund Randolph, his successor, who fell victim to a contemptible plot of Oliver Wolcott and the other Hamilton men surrounding Washington; and from the still more melancholy fate which afterwards overtook John Adams when the old Braintree hero's administration was controlled and completely wrecked by the Hamilton faction. There is something pathetic in the story of the undoubting faith of John Adams in the Hamilton spy Wolcott, who, after the President took him into his Cabinet as Secretary of the Treasury, betrayed all his secrets to his arch enemy, and in the end, with a knife in one hand, stretched out the other to accept from his impulsive, unsuspecting victim a life office as Federal judge.

"Some of the most delicate facts stated," wrote Hamilton to Wolcott, when about to send a Parthian shaft into the side

of Adams, "I hold from the three ministers, yourself particularly, and I do not think myself at liberty to take the step without your consent. I never mean to bring proof, but to stand upon the credit of my own veracity."<sup>a</sup>

And he transmitted to the Cabinet spy the first draft of his philippic for him to spice more highly the "delicate facts," which task Wolcott forthwith performed. What a spectacle! Prudent Mr. Jefferson in getting out of reach!

Wolcott next wrote an oily letter to the President, gushing with sycophantic thanks for the new office which Adams in man fashion had bestowed, and sturdy old John replied handsomely to his puny friend. Charles Francis Adams, in referring to this reply of his grandfather to Wolcott, has put on record the following declaration:

"To the day of his death Mr. Adams never suspected that the individual to whom he addressed this letter overflowing with kindness was the person who had secretly furnished the confidential information obtained as a Cabinet officer and adviser of the President, upon which Mr. Hamilton rested his attack upon his reputation, and had revised, corrected, amended and approved all of that paper whilst in manuscript. \* \* \*

"It is worthy of remark in this connection, that in all the subsequent vicissitudes of party conflict in the United States, no similar violation of confidence in Cabinet officers has ever taken place."<sup>b</sup>

On the 2d of June, 1797, the subject of the answer to the

<sup>a</sup> "Gibb's Administration of Washington and Adams," II, 422.

<sup>b</sup> "Life and Works of John Adams," by his grandson Charles Francis Adams, IX, 100-101.

speech of the new President, Mr. Adams, was under discussion. Lyon opposed the mode of procedure, and for his hardihood was assailed by the Federalists as a plebeian, and John Allen, of Connecticut, disdaining men with Irish brogue flung on these shores from Europe, appealed to the better blood and accent of Americans to keep Democrats in check. This put the Vermont Democrat on his mettle. He already perceived that some sneak from his own State had been whispering false stories about him, and the attempt to put him down by sneers and aristocratic airs brought him to his feet on the 3d of June with the following motion:

"That such members as do not choose to attend upon the President, to present the answer to his speech, shall be excused." Thereupon Matthew Lyon made his maiden speech in the halls of Congress.

"Mr. Lyon said he yesterday voted against the appointment of a committee to wait upon the President to know when and where he would receive their address, because he believed the President should always be ready to receive important communications. He wished to make a motion." (Given above.) He wished to be understood. He thought the motion a reasonable one, it proposed to leave them at liberty to do as they pleased. And by the rules he saw he was obliged to attend. He was told he might stay behind without being noticed; but this was not enough for him, as he was a timid man, and the House had the law on their side, as he recollected something of a reprimand which had been given to Mr. Whitney. (The Speaker reminded him it was out of order to censure the proceedings of the House on any former occasion.)

He said he stood corrected and proceeded.

He had spoken, he said, to both sides of the House (as they were called) on the subject. One side dissuaded him from his motion, and laughed at it; the other side did not wish to join in it, because it would look like disrespect to the person lately elected, who was not a man of their choice; but he trusted our magnanimous President would, with the enlightened yeomanry of America, despise such a boyish piece of business. This, he said, was no new subject with him; he had long heard the folly of the wise made a matter of wonder in this respect.<sup>a</sup> It was said this was not the time to abolish the custom; but this was the cant used against every kind of reform. No better time could ever arrive, he said, than this, which was the threshold of a new Presidency, at a time when the man elected to the office was beloved and revered by his fellow citizens; he was as yet unused to vain adulation; he had spent a great part of his life amongst a people whose love of a plainness of manners forbids all pageantry; he would be glad to see the custom done away. Were he acting in his own personal character, he perhaps might conform to the idle usage, but acting as he was for eighty thousand people, every father of a family in his district would condemn him for such an act.

The gentleman from Connecticut (Mr. Allen) yesterday hoped there would be American blood enough to carry the question. (The Speaker again reminded him that he was out of order to allude to what was done yesterday, and said the proper motion would be to rescind the rule.)<sup>b</sup>

<sup>a</sup> Colonel Lyon here refers to Dr. Samuel Johnson's famous lines in "Vanity of Human Wishes":

"Fears of the brave, and follies of the wise!  
From Marlborough's eyes the streams of dotage flow,  
And Swift expires a driveller and a show."

<sup>b</sup> Speaker Jonathan Dayton, afterwards in the Burr conspiracy, makes himself ridiculous in this ruling.

Mr. Lyon continued: "He did not wish to rescind the rule, he said, only so much of it as obliged the House to attend. This, he said, was no trifling with him, he should have as great an objection to attend this business, as a Quaker would to make his obeisance to a magistrate. (The Speaker said he must move to rescind the rule, or that he himself be excused, no other motion was in order.) Then, he said, he must confine himself to the narrow grounds of himself. He had no objection to gentlemen of *high blood* carrying this address. He had no pretensions to *high blood*, though he thought he had as good blood as any of them, as he was born of a fine, hale, healthy woman. Before yesterday he never heard of gentlemen boasting of their blood in that House. He could not say, it was true, that he was descended from the bastards of Oliver Cromwell, or his courtiers, or from the Puritans who punished their horses for breaking the Sabbath, or from those who persecuted the Quakers, or hanged the witches. He could, however, say that this was his country, because he had no other; and he owned a share of it, which he had bought by means of honest industry; he had fought for his country. In every day of trouble he had repaired to her standard, and had conquered under it. Conquest had led his country to independence, and being independent, he called no man's blood in question."<sup>b</sup>

This speech caused a sensation in the House. Mr. Allen discovered that the Irish born gentleman from Vermont knew how to answer his remarks in relation to "American blood" and "American accent," in vigorous, penetrable English.

<sup>b</sup>Annals of Congress, Vth Cong., 1797, Vol. I, pp. 234-5.

From that moment the high-flyers among the Federalists determined to get up the hue and cry against Colonel Lyon, and reduce him to silence and submission. They little suspected how hard it would prove.

The report in the *Annals* concludes as follows:

"Mr. Dana observed that the House would not wish to do violence to the gentleman's feelings. It was true some of the most respectable men in the United States had waited upon the President in a similar way; yet if the gentleman thought it would not comport with his own dignity to do it, he hoped he would be excused. The motion to excuse him was put and carried unanimously."

In Porcupine's report the following is added: "Mr. Otis said, as the Lyon appeared to be in a savage mood, he would recommend him to be locked up while the House proceeded to the President. (He was loudly called to order from several parts of the House.)"

Little Judge Chipman, the Senator from Vermont, was very industrious about this time. The excitement of the Federalists over Matthew Lyon's manly speech, gave Chipman a favorable opportunity to "feed fat the ancient grudge" he bore him. Lyon afterwards traced to Chipman the spreading abroad at Philadelphia of petty calumnies against him, long since exploded in Vermont, and made him admit it under oath. "At Rutland I was in company," deposed Judge Chipman, "with Mr. Lyon and two gentlemen of the Supreme Court, and some gentlemen of the bar, at our private quarters. In the conversation between Mr. Lyon and myself, my expression was: If he did not expect that this ridiculous speech in Con-

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\* "Porcupine's Works," VI, 170-1



gress, relative to the address, would bring up the wooden sword? I mentioned in Philadelphia the conversation with Mr. Lyon in a company one evening. I believe Mr. Griswold was present. I think it probable I have also related the conversation which I had with Mr. Lyon at Rutland, more than once in this city." \*

That which Judge Chipman called a "ridiculous speech" was not so considered by Mr. Jefferson. One of the first acts of the latter when he became President was to secure the abolition of the custom of royal visits between the Executive and Congress, and no more Congressional pageants to the White House from that day to this have been seen in the streets of Washington. Matthew Lyon had hit them off well as "a boyish piece of business."

In reference to the wooden sword story Judge Chipman also stated in his deposition as follows: "Colonel Lyon observed that if anyone at Philadelphia, or if any member of Congress should insult him with it, or pretend to mention it to him, it should not pass with impunity." Was it not singular, did it not look like a preconcerted scheme, that the very man to whom Chipman related that false and contemptible story, should be the one that some time after taunted Lyon with the insulting charge on the floor of Congress? Roger Griswold asked him whether he meant to wear his wooden sword when he next went into Connecticut, asked the question in the presence of the Speaker of the House and several other members of Congress, all of whom heard it. Burning with indignation,

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\* Deposition of Senator Chipman before the Committee of Privileges of the House of Representatives at Philadelphia, Feb. 6, 1798. *Annals of Congress, 1797-1799*, pp. 1023-1024.

but mindful of his surroundings, for the scene took place on the floor of Congress during a lull in the proceedings but before adjournment, Colonel Lyon pretended not to hear Griswold, and turned his head in another direction, continuing his conversation with the Speaker and the others, in which he had been previously engaged. But the young man Griswold was not to be denied, he was fifteen years younger than Lyon, and so he remarked to Congressman Brooks "he does not hear me," got up from his seat, walked over to Matthew Lyon, pulled him by the arm, and repeated his infamous and degrading question. Is it any wonder when thus goaded that Matthew Lyon turned upon his tormentor and spat in his face? Judge Linton Stephens once did the same thing with a man who had maltreated in a ruffianly manner his emaciated brother, the illustrious Alexander H. Stephens of Georgia. There are other noted cases where men of spirit in situations which precluded corporal chastisement of the offenders have resorted under extreme provocation to the same mode of punishment.

My Lord Chesterfield might not have done it, but Ethan Allen or Seth Warner, Andrew Jackson or Phil Sheridan very probably would have done it in like circumstances. At all events, Matthew Lyon did do it, and the whole pack of Federal hounds went on the trail of the Lyon of Vermont, and soon had him at bay. A very unexpected witness in Lyon's favor was the Rev. Dr. Ashbel Green, who had defeated another popular churchman, Bishop John Carroll of Baltimore, in the election for Chaplain of the House. Dr. Green says, while he objected to see his own face in a picture of the fight, nevertheless that the Federalists were unable to expel Lyon because he

was the assailed party, and was only defending himself from being made a butt of ridicule by Griswold.<sup>a</sup>

The affair took place on Tuesday the 30th of January, 1798. Forthwith on the same day, Samuel Sewell of Massachusetts offered this resolution: "Resolved, That Matthew Lyon, a member of the House, for a violent attack, and gross indecency committed upon the person of Roger Griswold, another member, in the presence of this House, whilst sitting, be, for this disorderly behaviour, expelled therefrom." A Committee of Privileges was appointed with power to investigate the entire affair, to sit during the session, and to report to the House. The Committee were Messrs. Pinckney, Venable, Kittera, Isaac Parker, R. Williams, Cochran and Dent. Mr. Pinckney, the Chairman, fell sick, and Mr. John Rutledge, Jr., was appointed in his place. And now the affair was worked up with all the sensational adjuncts which declamation, mock heroics, partisan rage and hope to oust a Democrat and win a seat for a Federalist could inspire in the dominant party. "Young Rutledge joining Smith and Harper," says Jefferson in a letter to Madison, "is an ominous fact as to that whole interest."<sup>b</sup> Such scenes have become familiar to us since that day, but this case has no parallel for vituperation and rancor. Outside the House the excitement spread, but the country took the humorous view of it with better sense of perspective. Wits and witts poured their effusions through the columns of the papers and in broadsides along the town. "Spitting Matt," and "Roger, the Knight of the *Rheumful* Countenance," in Federal doggerel and Democratic ballad, went broadcast over the land.

<sup>a</sup> "Life of Rev. Ashbel Green," p. 267.

<sup>b</sup> "Jefferson's Works," IV, 180.





recorded, but was doubtless to the point, as the Speaker had before found him ready at retort.

I reproduce here a cartoon of the fight from an original print of that day which was thought the cleverest bit of caricature of the whole vast quantity of run mad art then let loose. Shades of likeness to the men are found in it, according to contemporary testimony. I have a fine picture of the amiable Chaplain, afterwards President of Princeton, Rev. Ashbel Green, and certainly can detect points of resemblance, disparaging and exaggerated but still a remote likeness, between the cartoon and the real engraving.

Speaking of Matthew Lyon, Mr. L. E. Chittenden of New York, said in a letter to the author, February 3, 1881, "Those who knew him assure me that he is easily recognizable in the picture of the fight with Griswold, but of course the picture is an exaggeration."

February 3, 1798, Gallatin in a letter to his wife said: "The dispute between Griswold and Lyon shows you what asperity has taken place between members of Congress. The facts you now know from the accounts in the papers, the report of the committee and Lyon's defense in this morning's Aurora. I must only add that there is but little delicacy in the usual conversation of most Connecticut gentlemen; that they have contracted a habit of saying very hard things, and that considering Lyon as a low-life fellow,<sup>a</sup> they were under no restraint in regard to him. No man can blame Lyon for having resented the insult. All must agree in reprobating the mode he selected to show his resentment, and the place where the act

<sup>a</sup> Gallatin and his wife did not so consider him, as they soon became warm friends of Colonel Lyon.

was committed. As two-thirds are necessary to expel, he will not, I believe, be expelled, but probably be reprimanded at the bar by the Speaker."<sup>a</sup>

Mr. Henry Adams, the first of his family in whose writings I have observed a word of temperate treatment of Colonel Lyon, says, after the combatants were pulled apart by the legs, "they went on to endanger the personal safety of members by striking at each other with sticks in the lobbies and about the House at intervals through the day, until at last Mr. H. G. Otis succeeded in procuring the intervention of the House to compel a suspension of hostilities. Lyon, though a very rough specimen of Democracy" (the Adams blood was beginning to mount here, but he restrains himself and adds,) "he was by no means a contemptible man, and, politics aside, showed energy and character in his subsequent career."<sup>b</sup>

Gallatin to his wife, February 8, says: "We are still hunting the Lyon, and it is indeed the most unpleasant and unprofitable business that ever a respectable representative body did pursue." February 13th again he reverts to the subject: "Are you as tired of modern Congressional debates as I am? I suspect you wish your husband had no share in them, and was in New York instead of attending the farcical exhibition which has taken place here this last week; and indeed my beloved Hannah is not mistaken. I feel as I always do when absent from her, more anxious to be with her than about anything else; but in addition to that general feeling, I am really disgusted at the turn of public debates, and if nothing but such subjects was to attract our attention, it must be the desire of

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<sup>a</sup> "Life of Gallatin," pp. 192-3.

<sup>b</sup> *Ibid.*, p. 192.

every man of sense to be out of such a body. The affectation of delicacy, the horror expressed against illiberal imputations and vulgar language in the mouth of an Otis or a Brooks, were sufficiently ridiculous; but when I saw the most modest, the most decent, the most delicate man, I will not say in Congress, but that I ever met in private conversation, when I saw Mr. Nicholas alone dare to extenuate the indecency of the act committed by Lyon, and then I saw at the same time Colonel Parker tremblingly alive to the least indelicate and vulgar expression of the Vermonter, vote in favor of his expulsion, I thought the business went beyond forbearance, and the whole of the proceeding to be nothing more than an affected cant of pretended delicacy, or the offspring of bitter party spirit."<sup>a</sup>

The bitterness of feeling surpassed all former displays in the clash of factions. Jefferson mentions something of this in a letter to Edward Rutledge: "Philadelphia, June 24, 1797. You and I have formerly seen warm debates and high political passions, but gentlemen of different politics would then speak to each other, and separate the business of the Senate from that of society. It is not so now. Men who have been intimate all their lives, cross the streets to avoid meeting, and turn their heads another way, lest they should be obliged to touch their hats. This may do for young men with whom passion is enjoyment, but it is afflicting to peaceable minds. Tranquillity is the old man's milk. I go to enjoy it in a few days, and to exchange the war and tumult of bulls and bears for the prattle of my grandchildren and senile rest."<sup>b</sup>

In a letter to James Madison, dated Philadelphia, February

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<sup>a</sup>*Ibid.*, pp. 192-3.

<sup>b</sup>"Jefferson's Works," IV, 191-2.



15, 1798, Jefferson says: "You will have seen the disgusting proceedings in the case of Lyon; if they would have accepted even of a commitment to the sergeant, it might have been had. But to get rid of his vote was the most material object. These proceedings must degrade the General Government and lead the people to lean more on their State Governments, which have been sunk under the early popularity of the former."<sup>a</sup> The extremists swept the conservatists along with them by violence and browbeating, and men like Pinckney and Harper, noted before for their polished manners, became scolds only less disreputable than Dayton and Dana. "Mr. Pinckney," says Jefferson, in a letter to Madison under date of March 29, 1798, "in the affair of Lyon and Griswold went far beyond that moderation he has on other occasions recommended."<sup>b</sup> The remark of Colonel Lyon in his conversation with Speaker Dayton that the people of Connecticut were attached to Republican principles, and that by going among them, as he knew them well, he would be able to convince them that their present leaders were misleading them, shortly received emphatic confirmation in a letter to Edmund Pendleton from Mr. Jefferson.

"Philadelphia, April 2, 1798. A wonderful stir is commencing in the Eastern States. The dirty business of Lyon and Griswold was of a nature to fly through the newspapers, both Whig and Tory, and to excite the attention of all classes. It, of course, carried to their attention, at the same time, the debates out of which that affair springs. The subject of these debates was, whether the representatives of the people were to have no check on the expenditure of the public money, and the

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<sup>a</sup> *Ibid.*, IV, 211.

<sup>b</sup> *Ibid.*, IV, 227.

Executive to squander it at their will, leaving to the Legislature only the drudgery of furnishing the money. They begin to open their eyes on this to the eastward, and to suspect they have been hoodwinked. Two or three Whig presses have set up in Massachusetts, and as many more in Connecticut."<sup>a</sup>

Matthew Lyon's boldness had set the ball in motion, and printer's ink began to scatter the seed of the renaissance;—Jefferson like Byron believed in the efficacy of the pen. The poet says:

"But words are things, and a small drop of ink,  
Falling, like dew, upon a thought, produces  
That which makes thousands, perhaps millions, think."

It was a matter of frequent remark at the time that Griswold's courage was small, scarcely discernible, and his willingness to transfer his quarrels to others excessive and very manifest. Provoking a conflict and declining it when joined, insulted ignominiously and not lifting a finger to resent the insult, and that too in an age when unfortunately among gentlemen the code duello was everywhere recognized and enforced, Roger Griswold came out of his first encounter with Lyon in a very damaged condition on the score of genuine courage. His inconsequential meekness was suggestive of Shylock when Antonio spat upon his Jewish gabardine, or of Falstaff when brought to bay by the Douglas, and the fat man falls down as if dead, with the sage reflection that "the better part of valor is discretion." Mr. Madison seemed to take this view of the doughty Connecticut warrior, and while agreeing with Gallatin and Jefferson that the main object of the Federalists was to get rid of Lyon's vote in the House, the father of the Constitu-

<sup>a</sup> "Jefferson's Works," IV, 229.

tion flouts Griswold as a man of the sword, quite unworthy of Congressional vindication.

"The affair of Lyon and Griswold," said Madison, in a letter to Mr. Jefferson, written in February, 1798, "is bad enough every way, but worst of all in becoming a topic of tedious and disgraceful debates in Congress. There certainly could be no necessity for removing it from the decision of the parties themselves before that tribunal, and its removal was evidently a sacrifice of the dignity of the latter to the party manoeuvre of ruining a man whose popularity and activity were feared. If the state of the House suspended its rules in general, it was under no obligation to see any irregularity which did not force itself into public notice; and if Griswold be a man of the sword, he should not have permitted the step to be taken; if not, he does not deserve to be avenged by the House. No man ought to reproach another with cowardice who is not ready to give proof of his own courage."<sup>a</sup>

When Griswold, armed with his big stick, broke out on a rampage in a crowded House, attacked without risk to himself a defenseless man seated at his desk and unaware of the approach of his assailant, and beat his victim, before he could get up to defend himself, with all the strength and premeditated cowardice at his command, as if he wanted to stretch him senseless if not dead at his feet, what did this self-righteous Congress do about it? Just nothing at all. Expel Griswold? No, they did not even censure him. Well might Mr. Madison when he heard of the cowardly assault, write to Mr. Jefferson and say: "I am curious to see how the zealots for expelling Lyon will treat the deliberate riot of Griswold. The whole

<sup>a</sup> "Letters and Other Writings of James Madison," II, 127-8.

affair has been extremely disgraceful, but the dignity of the body will be wounded, not by the misconduct of individual members, which no public body ought to be answerable for, but by the misconduct of itself, that is, of a majority; and it is to be feared that the majority in this case are ready for every sacrifice to the spirit of party which infatuates them. The greatest sinners among them are Sewall and Harper, who forced the offensive business on the House."<sup>6</sup>

Archibald Hamilton Rowan, the Irish gentleman whom Curran had defended, was at this time on a visit to the United States. "The House of Congress," wrote Mr. Rowan to his wife, "is becoming a boxing school; the Speaker giving challenges from the chair, and when taken up in private, putting the matter 'ad referendum' till the end of the session. If this is a specimen of a democratic republic, Lord help us sufferers in the cause!"<sup>7</sup> Speaker Dayton insulted Colonel Lyon very grossly in the House. The latter made no public reply. Perhaps Mr. Rowan's words, "taken up in private," may mean that Colonel Lyon called down the Speaker outside the House. It was just like him to do it. No bully ever insulted him with impunity.

But let me now give the curious reader of our early Congressional annals a more detailed narrative of the famous Lyon-Griswold fight, and I cannot do this more graphically than by calling to the witness stand some of the editors of the papers of that day, of the "Aurora," "Porcupine's Gazette," etc., and some of the witnesses who testified before the Congressional committee while the first fervor and rapture of the

<sup>6</sup>*Ibid.*, II, 129-30.

<sup>7</sup>"A. H. Rowan's Autobiography," p. 321.

## MATTHEW LYON

leaving their minds, and letting them all speak in their own fiery and impassioned words.

At that time met in Philadelphia in a house at the corner of Sixth and Chestnut streets, used also as a Quarter Sessions Court of that city. The House occupied the first floor rear, and the Senate the back room of the second floor.

"*Aurora*," January 31, 1798 (abridged):

The House of Representatives was engaged in balloting for members to conduct the impeachment before the Senate of William Blount of North Carolina, the Speaker being out of the House. Just before the adjournment Mr. Griswold and Mr. Lyon, being outside of the bar, the former made some allusion to a story circulated in some of the Eastern States that Mr. Blount had been obliged to wear a wooden sword for cowardice. Upon this Mr. Lyon spit in Mr. Griswold's face. Mr. Sewall desired that the galleries might be cleared, and when the doors were closed he moved that Mr. Lyon be expelled. The House ordered the doors to be opened, and the matter was then referred to the Committee on Privileges. The committee soon reported to the effect that if either of the combatants offered any violence to the other before a final decision of the House, he should be considered guilty of a high breach of privilege."

Further accounts from the "*Aurora*" (abridged):

On the 1st of February a letter from Mr. Lyon to the Speaker was read, in which he disclaimed any intentional disrespect to the House. On the following day the Committee on Privileges reported the facts of the case to the House, and recommended the passage of a resolution for Mr. Lyon's ex-

pulsion. The debate upon this report continued until the 12th of February, when the vote upon the question of expulsion was taken, and stood ayes 52, nays 44. A vote of two-thirds being constitutionally required to effect an expulsion, the motion was lost.

"Of the affair of January 30th a caricature is in existence representing Mr. Lyon as a lion standing on its hind legs and having a man's head in profile. A wooden sword is hanging by his side. Griswold, whose name admitted of no pun, is holding a handkerchief in his hand, and exclaiming 'What a beastly action.'"

From the "Aurora" of February 16, 1798:

"Yesterday, after prayers, nearly half an hour after the time to which the House had adjourned, and after the Speaker had taken the chair, Mr. Lyon was sitting in his seat (which is the center of a row of desks) with his hat off and inclining forward with his eyes on a paper before him. Mr. Griswold left his seat with a stout hickory club, came up to Mr. Lyon on his right front, and without warning struck him once and again over the head and shoulders before he could rise, and repeated his blows, which Mr. Lyon endeavored to ward off with his arm, while extricating himself from the surrounding desks and chairs. Mr. L. attempting to close in, in order to avoid the blows, pushed forward towards the Speaker's chair, Mr. G. endeavoring to preserve the distance and repeating his blows. Mr. L. at length got hold of the tongs; but after one stroke with them, his antagonist closing in, both the tongs and the club were dropped, and the two members fell, Mr. G. having Mr. L. partly under him. There was no call of order from the Speaker all this time. Two members endeavored to take Mr.

G. off by pulling him by the legs. The Speaker alleged he should be taken off by the shoulders; they were, however, separated. A few minutes afterwards Mr. G. was standing in that part of the House where water is placed for the use of the members. Mr. L. came up to the same place with a cane in his hand; as soon as he recognized Mr. G. he struck him with his cane—on which Mr. Sitgreaves brought Mr. G. a hickory club; but the members interfered. The Speaker then called to order and Messrs. L. & G. separated.

“We are happy to add that Mr. L. is not so much hurt as might have been expected from the violence and manner of the assault.”

Abridged from a Federal paper of the period:

\* Philadelphia, February 16. *Another Fracas in Congress.*

“Yesterday morning immediately after the prayers were over, and while the Speaker was in the chair, but before the House was called to order, Mr. Griswold, a member from Connecticut, observing Mr. Lyon, of Vermont, in his seat, left the chair in which he usually sat and moved diagonally towards the table occupied by the Sergeant-at-Arms. He made a momentary halt, assumed a fierceness of countenance to which he is unaccustomed, grasping at the same time with firmer nerve the hickory stick he had in his hand, passed on with three or four quick steps, till he came near to Mr. Lyon, when he raised his stick and drew a violent stroke across Mr. Lyon’s head, who was sitting uncovered and looking down upon some papers upon the desk, which stood between him and Mr. Griswold. The stroke was so sudden and unexpected that Mr. Lyon did not even make an effort by raising up his arms to ward off the danger. Mr. G. repeated his stroke before Mr.

L. could rise from his seat. Mr. L. put his cane between his legs when he first sat down, but seemed to have lost it, as he pressed forward unarmed to extricate himself from the chairs and desks with which he was surrounded. Mr. G. continued his assault during the favorable opportunity furnished by Mr. L.'s embarrassed situation, and gave several severe strokes, one of which visibly staggered him. As soon as Mr. L. had got into the open area before the Speaker's chair, he attempted to close with Mr. G., but finding this not easily effected, by the wariness of his antagonist, he seemed compelled to seek for arms that should put him more on a level with Mr. G. With this view he passed on to the nearest fireplace, followed by Mr. G. who continued striking. At length Mr. L. seized the fire tongs and proceeded to repel Mr. G.'s attack, but in this he was prevented by Mr. G. who quickly caught hold of the tongs also, and made a thrust with his cane at Mr. L.'s face. The combatants now closed and abandoned their weapons; after a short struggle they fell side by side on the floor, when several other members interposed and separated the combatants. Mr. L. immediately expressed a wish that they had been left alone to settle the matter in the way Mr. G. had proposed.

"A few minutes only had intervened when by accident Mr. Lyon and Mr. Griswold met at the water table near the south-east door. Mr. Griswold was now without any stick and Mr. Lyon had a cane in his hand. Their eyes no sooner met than Mr. Lyon sprang to attack Mr. Griswold, who, stepping back, in some measure avoided the blow. Mr. G. continued to resist until another cudgel was put into his hand by Mr. Sitgreaves, but on the Speaker and some other members calling to order, the business terminated for the present.



"Mr. Lyon suffered considerable personal injury from the blows he received in the first attack. Mr. Griswold appears to have sustained little or no bodily hurt during the whole affray."

From Peter Porcupine's "Gazette," Ultra Federalist, January 31, 1798:

"Lyon's Spitting.—A misrepresentation of the transaction which happened yesterday in the House of Representatives between Mr. Lyon and Mr. Griswold, having been published this morning in the "Aurora," the following more correct statement of the fact is handed to you, to prevent the injury which that misrepresentation seems designed to do the character of an injured man.

"Yesterday in the House of Representatives, while the members were balloting for managers to conduct the impeachment of William Blount, Mr. Lyon, standing by the bar of that House, and addressing himself to a circle of which Mr. Griswold was one, made the following observations, 'That the representatives to Congress from the State of Connecticut were conducting themselves in the House in direct opposition to the wishes of their constituents; that they were pursuing their own interests, and cared nothing about the public, their object being to obtain offices for themselves; and that it mattered not whether the office was worth one thousand or nine thousand dollars; that the Representatives of the State were administering opium to their constituents to lull them asleep; and that if he should go into that State and take on himself the management of a printing press for six or twelve months, he could effect a revolution, change the whole politics of the State, and turn out the present Representatives.'

"On which Mr. Griswold replied to Mr. Lyon that he was much mistaken; for he could not produce the effect if he should go into Connecticut, or change the opinion of the meanest hostler.

"Mr. Lyon said he knew the temper of the people of Connecticut; he had to fight them in his own district whenever they came there. Mr. Griswold asked him whether he fought them with a wooden sword? Upon which Mr. Lyon spit in Mr. Griswold's face.

"Mr. Griswold from respect to the House, and being instantly cautioned by some of his friends, repressed his indignation.

"The public are extremely anxious to know, whether it was tobacco juice or natural saliva, that the *Hon. Matthew Lyon, Esq.*, squirted into the face of his brother legislator. Next after this important point, we Philadelphians all want to have out the whole *history of the wooden sword*. There is certainly something at the bottom of this story, that the Honorable Member wishes to keep in oblivion. For, let the reader ask himself, whether a gentle hint, like that of Mr. Griswold, was calculated to awaken resentment in anyone to whom it was not applicable, and in whose mind it did not revive something that he was very anxious to keep hidden from the world. But I pray some one to send me the history of the *dagger of lath*; then we shall have facts, and not reasoning, to judge from.

"Matthew Lyon came from Ireland. He not long ago drank 'Success to the United Irishmen,' then in open rebellion against their King, and he spit in the face of an American Member of Congress."

Let me interrupt Mr. Cobbett's unapproachable strain of

scurrility right here, in order to quote another but far inferior defamer upon Mr. Jefferson. Carpenter scoured the land in his search for slanders against the founder of the Democratic party, and quotes the following toast offered by Jefferson, then Vice-President, at a meeting in Charlottesville, Va., as an additional token of reproach:

"Ireland, may she soon burst her fetters, and take her rank among the free republics of the earth."<sup>a</sup> I resume Cobbett, for the reader must not be deprived of Porcupine's superb mendacities.

"Lyon. Yesterday the House of Representatives came to a decision on the filthy conduct of this spitting hero. An amendment was proposed by the supporters of Mr. Lyon (for, strange as it may seem, supporters he has) the object of which was to substitute a *reprimand* in place of *expulsion*. This was rejected by the *gentlemen* with disdain. They very truly said, that to punish such an odious, such a base offence, in so slight a manner, would be infinitely worse than doing nothing at all, as it would, in some sort, be giving a sanction to brutality.

"The original resolution for expulsion was then put when there appeared 52 for it, and 44 against it; and as the Constitution requires, that, to expel a member there shall be a majority of two-thirds, the resolution was lost; and it was determined that the *man of spittle* should, unpunished and uncensured, still sit as a member of the Congress, or, as the Abbé de Mably calls it, 'the grand Amphyctionic Council of the New World!' *Ave Amphyctionia!* Would to Heaven the enthusiastic Abbé were now alive!

"The filthy affair of Lyon as far as relates to the discussions

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<sup>a</sup> Carpenter's "Life of Jefferson," II, p. 298.

of the House of Representatives, is now over. His *supporters*, his *friends*, and his equals, though they provoked the examination of evidences before the House, were extremely anxious to avoid debate on the subject. They wished to keep the thing as much as possible hidden from their constituents, as well as from the world in general; and it is for this very reason, that I have resolved, if it please God to grant me life, to make the whole business as notorious as the courage of Alexander, or the cruelty of Nero. For this purpose, I will publish in my paper, once a fortnight as long as I publish it (if that be for fifty years), a sort of record in manner and form following, to wit:

"Be it remembered that in the year of our Lord one thousand seven hundred and ninety-eight (the close of the 'enlightened eighteenth century'), one Matthew Lyon, an Irishman, and a furious Democrat, was sent to Philadelphia by the enlightened republicans of Vermont, to represent them in the Congress there assembled. That on the 30th day of January in the *enlightened* year aforesaid, the said Lyon did, in the Congress Hall, while the House was in actual session, spit the nauseous slime from his jaws into the face of Roger Griswold, a member from Connecticut. And further, that the said Lyon, in justifying his said conduct, did (he being then speaking before and to the House) utter these words: \* \* \* meaning thereby the posteriors, or hinder parts of him the said Lyon.

"In consequence of this *decent* conduct and *polite* language, so highly honorable to democracy, and to the enlightened century aforesaid, a resolution was offered for expelling the said *spitter* from the House. That an inquiry took place, in which

it was proven that he, the said Lyon from Vermont, was, during the American war cashiered by General Gates, for deserting his post.

"And be it further remembered, that Nicholas of Virginia, Williams of North Carolina, Smith of Baltimore, Gallatin of Geneva, Livingston of New York, and several others (all of them of the Democratic party), did actually make and utter speeches in favor of the said Lyon. That the resolution, after *fourteen days* spent thereon, was put to the vote, when there appeared fifty-two for expulsion, and forty-four against it; and that as the Constitution requires a majority of two-thirds to expel a member, the said Lyon, of course, was *not expelled*, but kept his seat in Congress as before.

"And whereas it is just that the said *forty-four* men who voted in favor of the said Lyon, and by whose means he was kept in the said Congress, should be made known to their constituents and to the universe, and also that the memory of their conduct should be perpetuated, and handed down to their children, if, perchance, they may have any; to these ends their names, with the States they represent, are hereunder enregistered, to wit:

Massachusetts—	Freeman	Pennsylvania—	Bard
	Skinner		Findley
	Varnum		Gallatin
New York—	Elmendorf		Gregg
	Havens		Hanna
	Livingston		McClenahan
	Van Cortlandt	Maryland—	S. Smith

<b>Maryland—</b>	Sprigg	N. Carolina—	Blount
<b>Virginia—</b>	Brent		Bryan
	Cabel		Gillespie
	T. Claiborne		Locke
	Clay		Macon
	Clopton		McDowell
	Dawson		Stanford
	Giles		R. Williams
	Harrison	S. Carolina—	Benton
	Jones		W. Smith
	New		Sumter
	Nicholas	Georgia—	Baldwin
	A. Trigg		Milledge
	J. Trigg	Kentucky—	Fowler
	Venable	Tennessee—	W. Claiborne.”*

Two weeks later Cobbett changed his lamentations to rejoicings. The reader will now find this guardian of the good order and dignity of the House suddenly converted into a partisan of free fighting on the floor of Congress, and an apologist of the most disgraceful scene of rough and tumble pugilism and disorder, with cudgel and tongs accompaniments, which has ever taken place in the House of Representatives throughout the entire history of the country. This eloquent scold fairly screams his exultation over Griswold's assault.

From Porcupine's "Gazette," February 16, 1798:

"*A Burning Shame.* The affair which took place in Congress yesterday was but imperfectly related in my 'Gazette' of last night. I shall therefore now endeavor to give it more in detail.

\* "Porcupine's Works," by William Cobbett, Vol. VIII, pp. 68-70, 87-90.

"After the House had decided that nothing should be done to Lyon for spitting in Mr. Griswold's face, it seems that the former had the prudence to avoid the sight of the latter till yesterday, when he came and took his seat. He was sitting *alone*, involved in deep contemplation, when Mr. Griswold first spied him. No sooner did this happen than he caught up a thick hickory stick, made towards the man of spittle, and, in the twinkling of an eye, without giving him time either to eject his saliva or say 'My ——,' began to belabor him. Poor Lyon got out of his seat, made at his assailant, and endeavored to grapple with him; but the supple New Englander, who is as active as he is strong, beat him from him with his left hand, while he thrashed him with the right; and thus did the member from Vermont receive a shower of blows, such as never fell on the devoted hide of Don Quixote or his continent steed Rozinante. You must needs think the man was not very much at his ease in this situation. He ran to the fire place and caught up a pair of *tongs* (just like a lady), and attempted to use them; but his antagonist presently disarmed him, and continued to beat away with as regular a stroke as did the drummers of General Gates, on a former occasion. At last Lyon made shift to close with him, when Mr. Griswold immediately kicked him up, and made him measure his length on the floor. Here several gentlemen came up and took off the enraged New Englander, or it is reasonable to suppose that he would have continued to pummel away for some time longer.

"The poor man of saliva was most dreadfully cut and bruised; and had not Nature (foreseeing perhaps this encounter) taken particular care to fortify his head, it must have been smashed to pieces. It is said that several connoisseurs

from the West Indies and from the Southward, have declared that never negro suffered such a drubbing.

"Lyon stopped an hour or two to wash and bathe, and then retired from the House accompanied by his friend and countryman Blair McClenachan. They walked down towards Fourth street, followed by a crowd of boys; and would you believe it, the naughty little rascals hallooed and shouted, 'There goes the Lion and Blair!' Whatever may be said or thought of the rib-roasting, I am persuaded that everyone will agree with me, that it is highly disgraceful to the police of Philadelphia, that these little blackguards be allowed thus to follow and mock a member of Congress, like so many small birds at an owl that happens to change her roost by daylight."<sup>a</sup>

When writing this choice specimen of billingsgate, Cobbett probably forgot all about the Abbé de Mably and the "grand Amphyctionic Council of the New World." Griswold had turned it into a bear garden. And although when Lyon's misconduct was the subject of criticism we have seen Peter Porcupine spreading his quills, and have heard his exclamation "Would to Heaven the enthusiastic Abbé were now alive!" nevertheless when Griswold's deliberate riot occurred, our fickle censor throws the Abbé overboard, and becomes the chief fogleman of a Congressional bully and bruiser.

Two incidents of this fierce fight plainly revealed the character of each man, and therefore call for particular remark. When Griswold stealthily approached and assailed Lyon with a stout hickory stick, Lyon never flinched, but unarmed as he was rose up from his seat, and, even Cobbett admits, he "made at his assailant and endeavored to grapple with him." But

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<sup>a</sup> *Ibid.*, pp. 90-92.



after Lyon had regained his ordinary walking cane and met Griswold at the water cooler, the latter now being without his bludgeon, Lyon advanced and Griswold retreated before him, receiving but not turning to repel a stroke over the shoulder from Lyon's cane. "Mr. G. continued to retreat," says one of the Federal accounts I have quoted, "until another cudgel was put in his hand by Mr. Sitgreaves." Courage and cowardice have seldom been more sharply contrasted.

From the Annals of the Fifth Congress.\*

BREACH OF PRIVILEGE.

"Tuesday, January 30, 1798.

"Mr. Sewall said he believed the business which he had to lay before the House would require secrecy, as it was a subject which would considerably affect the feelings of the members of the House. He therefore moved that the galleries might be cleared; which was accordingly done, excepting the members and the Clerk.

"Mr. Sewall then stated, that he had been informed, in a manner which left no doubt of the truth of the fact, that in the presence of the House whilst sitting, Matthew Lyon, a member from the State of Vermont, did this day commit a violent attack and gross indecency upon the person of Roger Griswold, another member of this House; and, in order to bring the subject before the House, that he had prepared a resolution, which he read in his place, and delivered in at the Clerk's table. A question was then taken in the following words: Does the matter so communicated require secrecy?

"This motion passed unanimously in the negative, and the galleries were opened.

\* Pp. 955 *et seq.* to 1067.

"The House then proceeded to consider the motion made by the member from Massachusetts, which was read, as follows:

"*Resolved*, That Matthew Lyon, a member of this House, for a violent attack and gross indecency committed upon the person of Roger Griswold, another member, in the presence of this House, whilst sitting, be, for this disorderly behaviour expelled therefrom.'

"It was moved that this resolution be referred to a committee to be denominated a Committee of Privileges, with instructions to inquire into the whole matter of the said resolution, and to report the same with their opinion thereon to the House.

"The question was taken by yeas and nays, and decided in the affirmative—49 to 44.

"*Ordered*, That Messrs. Pinckney, Venable, Kittera, Isaac Parker, R. Williams, Cochran, and Dent, be a committee for the purpose.

"A motion was then made that the House come to the following resolution:

"*Resolved*, That this House will consider it a high breach of privilege if either of the members shall enter into any personal contest until a decision of the House shall be had thereon.'

"A motion was made to add the following words to the end thereof:

"'And that the said Matthew Lyon be considered in the custody of the Sergeant-at-Arms until the further order of the House.'

"The yeas and nays were taken upon this question and decided in the negative—29 to 62.

" This motion being negatived, the sense of the House was then taken on the main question, as originally offered, and it was carried.

" Thursday, February 1.

" BREACH OF PRIVILEGE.

" Mr. Venable said, he was directed by the Committee of Privileges to inform the House, that the Chairman of that Committee (Mr. Pinckney) was yesterday taken ill, and was unable to attend to the business referred to them; that the committee had this morning received a note from Mr. P. stating, that he was still too much indisposed to attend to business; they, therefore, wished him to ask for the appointment of another member in his place.

" The motion being agreed to, the Speaker nominated Mr. Rutledge.

" Mr. Venable then added, that he was also requested to ask leave of the House to sit during the session. Leave was granted.

" The Speaker informed the House that he had received a letter from a member from Vermont, which he was requested to lay before them.

" To the Speaker of the House of Representatives:

" Sir: As the attention of the House of Representatives has been called to my conduct in a dispute with Mr. Griswold, on a suggestion of its being a violation of the order of the House, and the respect due to it from all its members, I feel it incumbent upon me to obviate the imputation of intentional disrespect. Permit me, sir, through you, to assure the House of Representatives that I feel as much as any of its members the

necessity of preserving the utmost decorum in its proceedings; that I am incapable of an intentional violation of its rules; and that, if, in the present instance, I am chargeable of a disregard of them, it is owing wholly to my ignorance of their extent, and that the House of Representatives claimed any superintendence over its members when not formally constituted, and when they are not engaged in actual business. If I have been mistaken in my understanding on this subject, I beg the House to believe that my fault has been without intention, and that I am very sorry I have deserved its censure. I am, sir, your obedient servant,

“ MATTHEW LYON.

“ February 1, 1798.”

“ Mr. Nicholas moved that the letter be referred to the committee who have this subject under consideration. Agreed to.

“ Friday, February 2.

“ Mr. Venable, from the Committee of Privileges, made the following report.

“ The Committee of Privileges, to whom was referred a resolution on the 30th of January, charging Matthew Lyon with disorderly behavior, with instructions to inquire into the whole matter thereof, and to report the same, with their opinion, to the House, having examined several witnesses on oath touching the subject, report: That, during the sitting of the House of Representatives on the 30th day of January, 1798, the tellers of the House being engaged in counting the ballots for managers of the impeachment against William Blount, the Speaker had left his chair, and many members their seats, as is usual on such occasions; the Speaker was sitting in one of the member's seats, next to the bar of the House, and several members near him, of whom Mr. Griswold was one.

" Mr. Lyon was standing without the bar of the House, leaning on the same, and holding a conversation with the Speaker. He spoke loud enough to be heard by all those who were near him, as if he intended to be heard by them. The subject of his conversation was, the conduct of the Representatives of the State of Connecticut, (of whom Mr. Griswold was one). Mr. Lyon declared that they acted in opposition to the interests and opinions of nine-tenths of their constituents; and they were pursuing their own private views, without regarding the interests of the people; that they were seeking offices, which they were willing to accept whether yielding \$9,000 or \$1,000. He further observed that the people of that State were blinded or deceived by those Representatives; that they were permitted to see but one side of the question in politics, being lulled asleep by the opiates which the members from that State administered to them; with other expressions equally tending to derogate from the political integrity of the Representatives of Connecticut.

" On Mr. Lyon's observing, that if he should go into Connecticut, and manage a press there six months, although the people of that State were not fond of revolutionary principles, he could effect a revolution, and turn out the present Representatives. Mr. Griswold replied to these remarks, and amongst other things, said, " If you go into Connecticut, you had better wear your wooden sword," or words to that effect, alluding to Mr. Lyon's having been cashiered in the army.

" Mr. Lyon did not notice the allusion at this time, but continued the conversation on the same subject. Mr. Griswold then left his seat, and stood next to Mr. Lyon, leaning on the bar, being outside the same.

"On Mr. Lyon's saying he knew the people of Connecticut well, having lived among them many years—that he had frequent occasion to fight them in his own district, and that he never failed to convince them—Mr. Griswold asked if he fought them with his wooden sword, on which Mr. Lyon spat in his face.

"The committee having attentively considered the foregoing statement of facts, and having heard Mr. Lyon in his defence, are of the opinion that his conduct in this transaction was highly indecorous, and unworthy of a member of this House.

"They, therefore, recommend the adoption of the resolution submitted to their consideration by the House, in the words following, to wit:

"*Resolved*, That Matthew Lyon, a member of this House, for a violent attack and gross indecency committed upon the person of Roger Griswold, another member, in the presence of the House while sitting, be for this disorderly behavior expelled therefrom.'

"The report having been read,

"Mr. Lyon said, he did not think the evidence was stated in its full extent in this report. He wished, therefore, before the House proceeded in the business, they would hear the evidence themselves.

"Mr. Harper inquired of the Speaker whether that was the usual mode of proceeding?

"Mr. Speaker said, it was necessary first to take up the report for a second reading.

"Mr. Macon observed that this was a very delicate and a very serious question, as it related to one of the members of that House, and as it respected the dignity of the House itself.

"Mr. Rutledge desired an oath might be administered to the Speaker, Messrs. S. Smith, Brooks, Hosmer, Coit, Dana, Goodrich and Champlin; which was accordingly done.

"Thursday, February 6.

"Mr. Lyon understood General Sumter, from South Carolina, could give some information to the committee; he requested, therefore, he might be sworn.

"Mr. Sumter declared he knew nothing of the business, except what he had heard from Mr. Lyon soon after the affair happened.

"It was at length agreed that that precise question should be put to Mr. Sumter, viz: 'Whether Mr. Lyon told him that he heard Mr. Griswold address him twice on the subject of the wooden sword?' which Mr. Sumter answered in the affirmative.

"Thursday, February 8.

"Mr. Lyon then rose and spoke as follows:

"Mr. Chairman: I feel myself extraordinarily circumstanced, and accidentally drawn into a very serious situation, merely by my ignorance of the House of Representatives being likely to take cognizance of an affair that happened when the members of the House were at their amusement and recreation; when every one was doing that which was right in his own eyes. How much I was supported in this opinion by the conduct of the Speaker, every gentleman may see by his testimony. He sat in a chair within the bar facing me as I stood without it. He spoke to me of my country, and the conduct of some people there concerning the stamp act; it appears I turned the conversation towards Connecticut; it appears I had four or five other gentlemen's wit and raillery to bear, and this

in the hearing of the Speaker. Does this look like the House being sitting?

"How could I imagine this House was sitting, when the Speaker suffered me to be interrupted when speaking to him, by the remarks and jokes of four or five gentlemen?

"How could I imagine the House was sitting, when the Speaker was joking me about an embassy to Kamtschatka among the fur tribe?

"How could I imagine the House was sitting, when I heard, and knew the Speaker heard, Mr. Griswold insult me, without checking him?

"How could I imagine the House to be sitting, when the Speaker suffered Mr. Griswold to proceed a second time with the most provoking insolence?

"Had the House been sitting, I should not have been called on by Mr. Dana, with respect to something Mr. Williams had said; consequently I should not have entered into a conversation about Connecticut; the Speaker would not have spoken to me of Vermont, and I should not again have turned the subject to Connecticut, and Mr. Griswold would have postponed his premeditated insult—premeditated, I say, because it has been proved that he had notice of my feelings and my determination on this subject.

"Is it proper to say the House was sitting, while half the members were standing round the table, while two-thirds of the other half were walking round the bar, the Speaker engaged in jocular conversation or writing letters?

"But, Mr. Chairman, it seems, by the course this business has taken in the committee, that I am to be criminated for holding an indelicate or impolite conversation within the hear-



ing of the gentlemen from Connecticut. Every one knows that there are two different opinions entertained in this country with respect to the management of the Government, and every one who knows me, knows that I am very free in speaking my opinion on these subjects. There are many, and I believe some in this House who know something of the rough, illiberal manner in which I have been treated in the New England newspapers, on account of my political opinions; and I believe there are many persons in this House who are well acquainted with the kind of politeness which the gentlemen from Connecticut make use of towards their opponents; and some are acquainted with the share of politeness which those gentlemen reserve from me.

"If the House are at a loss on this subject, they will, I hope, recur to the language made use of by Mr. Coit and Mr. Dana, in their testimony; and the House, I believe, will recollect a speech from a gentleman who sits behind me, in which he told the committee twice or three times that I was no gentleman.

"Again, I say, Mr. Chairman, I am very extraordinarily situated. Evidence has been introduced into this House to induce the members to believe that I left Colonel Warner's regiment with dishonor; that I am a person of disrepute; that I have been in the habit of receiving insult with impunity. Here I am, three hundred and fifty miles from home, and from the evidence who are able to show the contrary. Had I a reasonable opportunity, I could prove, by the Lieutenant-Colonel, who is now General Safford, and several other officers of that regiment, that when I left it, I left it with the regret of much of the greater part of the officers and all the soldiers—I mention the Lieutenant-Colonel because Colonel Warner is

not living. My certificate of having settled my accounts, which is at home, would prove my having done my duty well.

" I could prove my having taken my musket and marched to the lines every day, during the siege of Burgoyne. I should not have mentioned this circumstance, had not the Speaker mentioned his having done so when Paymaster.

" I could also prove, that when an officer offered me an insult, I chastised him before the officers of that regiment.

" (Mr. Champlin asked whether the gentleman said he had chastised an officer, or would chastise him?

" Mr. Lyon answered that he had chastised him.)

" I could prove that I took the commission in Colonel Warner's regiment when I was driven from my plantation by Burgoyne's invasion; that I resigned my appointment, and left the regiment for the care of my family, for preferment, for honor, for superior office, and to serve the people of the State of Vermont.

" I could prove, had I opportunity, that I was immediately appointed Deputy Secretary of the State, Paymaster of the troops of Vermont, assistant to the Treasurer, assistant to the Commissioner of Loans, and Captain of the Militia, besides being called on to act as Private Secretary to the Governor.

" I could also prove that within two years from the time of that resignation, I was appointed Secretary to the Governor and Council, a Member of the Legislature, Clerk of the House of Assembly, one of a Committee for the Collection and Revision of Laws, and to a number of other offices under the authority of that State, besides a considerable number of offices in the municipal establishment of the town in which I lived, as well as my promotion to the command of a regiment,

and all this before I formed a connexion with one of the most respectable families in that State. I could prove also, that I have been a member of the Legislature of Vermont, except two years, ever since; that I have been appointed to many other offices in which I did not think proper to serve, such as Auditor of the Treasurer's Accounts, and Judge of the county where I live.

"By these things, and by my standing in this House, I could prove that I have always been respected in the country I represent, and where I have lived these twenty-four years.

"The free electors of my district have given me a preference to a gentleman of very great respectability, one who has served six years with unimpeachable fidelity in this House, and is now Chief Justice of the State of Vermont; yet evidence has been adduced in order to show that I am a person of disrepute.

"As to my being in the habit of receiving insult with impunity—for which it seems Mr. Chipman's testimony was introduced—were I allowed to call testimony from Vermont, I could very easily prove so much on this head, as, perhaps, to prove, in the minds of some gentlemen, that respectability which, in every other respect, attaches to my character. Among other things I could prove that the gentleman from Vermont who was called to give testimony against me, has, with the politeness peculiar to a certain country which I will not now name, insulted me and received due chastisement for it.

"Mr. Harper called to order. The gentleman from Vermont had already spoken very improperly of witnesses, and he now spoke in a very reprehensible way of Mr. Chipman. He hoped he would be admonished.

"Mr. Otis differed in opinion from the gentleman from South Carolina.

"If the gentleman thought it would be of service to him to inform the committee that he had chastised an officer in the face of his regiment, or beaten a Judge of the Supreme Court, he was right in stating the circumstances.

"Mr. Lyon. It would be folly in me to state anything to this committee that I cannot prove. Nor should I have mentioned that circumstance, had I not been charged with receiving injuries with impunity. I never did receive injuries with impunity; nor did I come here to do so. I would sooner leave the world. Mr. L. then proceeded:

"Were I to be allowed time to bring forward testimony from Vermont, I could prove that my character, as a man of spirit, stands on such ground in my country, that I had no need to defend it, by entering into a squabble with such a Chief Justice in court time.

"If the proof of these things be considered of importance, I hope I shall be allowed time to send to Vermont to obtain it—for my own part I cannot so consider it. I must think that the House of Representatives ought never to have taken up the matter of the difference between Mr. Griswold and myself, circumstanced as it was; and that if the House thought otherwise, the due submission to their authority, which I have always stood ready to pay, and the sorrow which I have expressed, and am continually expressing, for my misapprehension, might serve as some mitigation of an offence against the dignity of this House, which I never could have knowingly been guilty of.

"Mr. Champlin rose and said: It was fully proved that a

offence of a gross and injurious nature had been committed by the member from Vermont (Mr. Lyon) against the person of the member from Connecticut (Mr. Griswold), and that the member from Connecticut, whose cheek glowed with indignation, and whose arm was nerved by the desire of vengeance, recollecting the place in which he stood, and the *respect* due from him to that House," (Much respect he showed, indeed!) "repressed his resentment.

"Mr. R. Williams did not mean to introduce a debate upon this subject, but merely to state the reasons which had induced him in the select committee, and in the House, to vote against this report. Having made these remarks, he would state why he thought the House had not the power to expel the member from Vermont. He did not believe that a member of the Legislature could be expelled for any act done out of the House, except it rendered him infamous.

"In the rules for the regulation of the proceedings of the House, it was declared that, whenever the House meets, the Speaker should take the chair at the hour to which the House adjourned. But where, he asked, was the Speaker when the act complained of was committed, and what was the situation of the House at that time? He did not mean to say that the Speaker or any other member was not doing his duty, but to show that the House was not in order. The Speaker had left his seat, and was in that of another member; and the members were passing to and from different parts of the House. So that if even it could be considered in such a situation as that the rules of the House would apply to it, some allowance ought to be made to members who might think differently. But certainly no motion could have been stated to the House in this situation.

"These were the reasons, Mr. W. said, which induced him to think the member from Vermont ought not be expelled; not because he approved of his conduct, or that the insult which he states to have been offered to him, as warranting the improper manner in which he resented it; not because the House had not the power to expel its members, but because it was not in such a situation at the time as to authorize an expulsion for the offence, and that, therefore, the person offending did not know that any such consequence as an expulsion could be the punishment to which he was liable.

"Mr. Harper said, he should, like the gentleman from North Carolina, omit noticing the provocation said to be given to the gentleman from Vermont. He believed that was out of the question, because, if the act complained of had been in consequence of a blow received, he would have had *both the gentlemen expelled*; or if the gentleman from Connecticut had given way to his feelings, and struck the member from Vermont to his feet, in return for the insult he had received, in that case he should have been for *involving both in one sentence*; for, if this rule was once departed from, and provocation was to be set up as an apology for outrage, every person would be left to judge in his own cause as to the sufficiency of provocation. The distinction between words and personal attack, is a distinction well understood. No language could be sufficiently provoking to warrant a blow. In well-bred society, when a man receives an affront, does he knock down the person giving it? No. He represses his feelings, and takes another time and place to obtain justice; and except the members of that House were to conduct themselves in this manner, they laid prostrate the barriers which protected decency of conduct among them." (False, as was soon proved.)

"Friday, February 9.

"Mr. Harper said, he was under the necessity of performing a very disagreeable duty. It was a duty, however, which he found himself bound to perform, since no other member had thought proper to undertake it.

"It must be recollected by many members of that House, that the member from Vermont, whose very extraordinary conduct has been for some time the subject for discussion, yesterday, at the conclusion of his defence, made use of an expression so outrageous, so gross and indecent, that no gentleman yet had been able to repeat it;\* and if this expression could have been buried in silence, he, for one, should have been in favor of its being so buried; but, unfortunately, this could not be the case, it had not only been heard by many of the members, but by many strangers; and he was authorized to say, it was about to appear in one of the public gazettes of this city." (Porcupine published it.) "As it could not, therefore, be kept from public view, it was necessary to take such notice of it as it deserved.

"Mr. Dent accordingly presented a statement of the offensive words to the Chair; which, without being read, was referred to the Committee of the Whole to whom was referred the report of the Committee of Privileges. The question for this reference was carried by the casting vote of the Speaker, there being 43 votes for it, and 43 votes against it." (Even nine Federalists broke away from the ridiculous Mr. Harper on this vote.)

"Mr. Shepard said, the member from Vermont had been

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\*The expression alluded to, if used at all, which some members denied, and it was not in the published remarks of Colonel Lyon, was merely vulgar, and not obscene. Fielding uses like language in "Tom Jones," and Chaucer and Shakespeare were similar transgressors.

guilty of an indecency for which he ought to be expelled from his seat. The gentleman acknowledged that it was his common practice to scourge everyone who offends him. It was not necessary, therefore, to send to Vermont to inquire his character there. For his own part, he could not consent to sit with him. If he must be a legislator, it should be in a part of the world where all decisions were made by *spitting* and *scratching*. He was sure no gentleman or modest man could plead in behalf of such a man. He hoped the member from Vermont would be expelled, without spending much time on the subject.

"Mr. Nicholas was always desirous of the approbation of the gentleman who had just sat down, because he believed he always acted from the best motives. He hoped that gentleman would also have allowed that others might act from principle as well as himself. He could not refrain, however, from doing what he conceived to be his duty, whatever might be the motives which gentlemen chose to attribute to his conduct. But whatever his opinion might be of the measures proposed to be taken in consequence of the offence under consideration, with respect to the offence itself, he condemned it as much as any other gentleman, as indecent and improper.

"Mr. N. felt it necessary to make some observations on this subject, because the report of the Committee of Privileges does not state facts as they are; he supposed it had been composed hastily, as it certainly does not correspond with the impression which the evidence makes. The gentleman who introduced the resolution, like a good lawyer, has made the case broad enough to support it. He has evidently given way to the impression of the moment, as the evidence



Certainly does not support the allegations therein contained. (Mr. N. reads the resolution.) He said he could not agree to this resolution, because he denied that the House was sitting, or that the offence was done in view of the House. He should make some observations on the testimony, and show wherein it differed from the report of the committee. He needed no witness to prove the state of the House at the time this transaction took place; it was fully in the recollection of every gentleman. Not one of them, except the two members appointed to count the ballots, was attending to public business, and very few, indeed, who were not out of order. The area of the House was full of squads, carrying on conversation without restraint. One article of testimony was strong as to this fact. The attention of the gentleman from Maryland (Mr. S. Smith) was drawn to the conversation holding around the fire behind him by a loud laugh. There could be no doubt, therefore, that the House was not engaged in business, was not in order, was not in a situation to be disturbed by any transaction of this kind. Indeed, he did not understand, from what had fallen from the gentleman from South Carolina, that he thought it was. His argument was, that the Speaker, having once taken the Chair, called the House to order, and the Journals having been read, the rules of the House knew of no mode by which it could be disorganized without an adjournment.

" Suppose this position was true, what results? Why, that it was their business to have been in order, and not that they were so; for, whilst the Speaker was out of his Chair, whilst members were out of their places, and violating the rules of order, no one could say that the House was in session, or

that it could claim respect from others as a Legislative body. Was it possible, therefore, for men, who were not doing what the rules of the House required them to do, to call upon other members to keep the rules inviolate?

"Here was a situation, then, when the members of the House were discharged from any duty for two hours, and during this period, the transaction which is now the subject of inquiry took place.

"The member from Vermont had but lately got his seat in the House, and of course, was not well acquainted with its rules; and seeing the members of the House in the situation they were, the Speaker himself holding conversation with him, and, though not encouraging him in it, yet, by asking questions, pushing him further into it than he otherwise would probably have gone, the Speaker calling upon him and another gentleman in conversation, 'to take care, or they should want seconds.' When this was the situation of things, might it not have imposed upon any member in the House? Could it be considered that the Speaker thought the rules of the House were likely to be violated when he thus spoke?

"Mr. Nicholas said, he would consider the effect which Mr. Griswold's attack was likely to produce upon Mr. Lyon. It appeared that, for some purpose or other, which he pretended not to know, Mr. Lyon's history was to be raked up for twenty years past. A transaction, which at that distance of time took place, had been introduced with a view of sinking him in public estimation. The first time this painful circumstance was mentioned to Mr. Lyon, he refused to take notice of it; but the gentleman from Connecticut laid hold of him, which was tantamount to saying, 'you shall listen to what I have to

say,' and repeated the sarcasm. He asked whether, being placed in such a situation, there was not some allowance to be made for acting in the manner he did? Nor did Mr. N. think the mode which Mr. Griswold had taken to repel anything which the gentleman from Vermont had said against the Representatives from Connecticut was the best calculated for the purpose.

"Mr. Sitgreaves said, before the question was taken, he wished to make some observations upon it.

"It was said, that the member from Vermont could not have put up with an insult like that offered by the member from Connecticut, and that the impossibility of putting up with it was a sufficient extenuation of his crime. He had all along thought that whenever anything was said of the provocation which produced the act complained of, they wandered from the proper path. He believed no anterior circumstance had anything to do with the judgment which the House ought to pass upon this offence. Could any man suppose that the feelings of the gentleman from Connecticut were less sensitive than the feelings of the gentleman from Vermont? Would any man call in question his spirit or ability? Do not all who know him, know that his courage, strength and spirit, enabled him to take *instantaneous revenge*, had not his respect for the House prevented him from doing so?"

This seems to show Griswold was the stronger man physically. But that did not keep him from running away at the water cooler.

"He wished to add this latter offence to the former, in order to show the full ground of the member's expulsion, since this latter offence was of too gross a nature to be lost sight of. He

moved to add the following words to the resolution: 'And for a gross indecency of language in his defence before the House.'

"Mr. Coit trusted when he declared it to be his intention to vote against this amendment, he should not be thought to be an advocate of Mr. Lyon, or of his indecent language. In the course of his defence, he had made use of several expressions highly improper to be used by a member of that House; but they mark the character of the man. He was unwilling, however, to take hold of these circumstances against him, but would give them all the proper weight they deserved. He presumed the particular expression alluded to fell from the member inadvertently, and was not intended to offend the decorum and order of the House. He therefore thought, notwithstanding the opinion which he had of the man, that it would be more consistent with the candor and dignity of the House not to notice it.

"Mr. S. Smith did not believe that the expression alluded to was read. What the gentleman read, was delivered in a tone of voice which every one could hear; but what he said as he sat down was uttered in a lower voice, and he did not hear it. He had read his speech that morning in the papers, in which there was no such expression. He wished to repeat to the gentleman from South Carolina (Mr. Rutledge) who had given him a *philippic*, that his reason for wishing to take a vote upon this question without debate, was no other than to spare a further expense of time upon a business, which, he thought, had already occupied too much.

"After a few other observations, the question was put on the amendment and carried, 48 to 43.

"The question on the resolution as amended was about to be put, when

"Mr. Gallatin said he knew how late in the day it was, and

therefore his remarks would not be long; but as he considered there was a point of view in which the subject had not been placed, he wished to say a few words before the question was taken.

"Of the fact itself he had no remarks to make; the evidence was direct, and all could draw their inferences from it.

"But it appeared to him that gentlemen who expressed so much sensibility on the occasion, had confined themselves wholly to the indecency committed within the walls of the House, without taking any notice of the nature of the punishment proposed to be inflicted.

"Our Government, he said, was a Government by representation. The people of the United States had not vested power with a sparing hand; they had given all power out of their hands; but they had guarded against the abuse of it. They had said this power shall not be exercised but by persons appointed by ourselves. This being the case, said Mr. G., we, the representatives of the people, have only a limited power over individual representatives in our body. It is true the Constitution has given us the power of expulsion, but under as much caution as power could be given.

"When he put questions to the witnesses in relation to the order of the House, at the time the act complained of took place, he did it not with a view of lessening the offence itself. He did not mean to inquire whether the member from Vermont had committed a less degree of indecency, because the House was in one situation, than it would have been if it had been in another; but his object was to show that the public business had not been interrupted, and that the House was in a situation in which it could not have been interrupted.

It was true the Speaker had, in the morning, taken the Chair, and the House had not adjourned; but it must also be allowed that the House was not at that time organized. What was the business before the House? A committee of two members were counting the votes for managers of an impeachment. Were they interrupted; or could they be interrupted by an incident of this kind? He was sure they were not interrupted. If, then, the public business was not interrupted, and if the fact was not of that nature which showed a corruption of heart, he did not think it would be proper to expel the member from Vermont.

“Monday, February 12.

“Mr. Findley said, the question before the committee was a question of *indecenty*, and not of *crime*; and he wished, for the sake of decency, so much had not been said upon it. In forming the Constitution there had been a distinction made between punishment and expulsion. Expulsion was evidently the highest punishment which the House could inflict, but no one could say indecenty was the highest crime. He never understood, either at the time the Constitution was formed, or since, that expulsion was intended to be applied to anything but crimes, for what would be a subject for impeachment in other bodies where impeachments could be brought. This was not, therefore, an opinion formed upon the spur of the occasion. Mr. F. said, he knew of an instance of this kind, which happened in another legislative body, upon which a committee was appointed to consider it; but they never made a report, but held their decision *in terrorem* over the offending member. He thought, if a similar course had been

taken in this matter, it would have been preferable to spending so much time in debate upon it.

"Mr. Shepard spoke again upon this subject. If the member from Vermont were not expelled, he supposed it would break up the present session, without doing any business; that it would divide the States against each other, and finally end in a civil war." Such arrant nonsense as this was received with a serious face by the Federalists.

"Mr. Pinckney said, in order to insure perfect freedom of debate, it was necessary to repress every personal violence in the first instance. In considering this question, he considered it as fixing a rule for their government in future; and he thought, if it were so considered (and no reference had to the dispute which had produced the discussion), there would be a pretty unanimous opinion that an offence of this kind ought to be punished by expulsion.

"Mr. Livingston rose to entreat the gentlemen, as they valued the respectability of the House, the good opinion of their constituents, and the public Treasury, that they would suffer this business to come to a conclusion. Their constituents, he was certain, had long been tired of the discussion. Nearly twenty days, which had cost as many thousand dollars to the country, had been consumed in this business. Gentlemen rose to express their abhorrence of abuse in abusive terms, and their hatred of indecent acts with indecency. The simple question before the House was, what degree of punishment was proper to be inflicted upon the member from Vermont. (The Chairman informed Mr. L. he was mistaken in saying twenty days had been consumed in this business; it had been before the House only fourteen.) Mr. L. said it was in a fair way for being twenty.

" Mr. R. Williams rose and took notice of the different arguments urged in favor of the amendment. He denied that the committee ought to consider the consequences to which an act might possibly lead; if so, an assault would of course be punished equally with murder, as it might possibly lead to it. He did not think the House ought to interfere any further, than to preserve order and decorum in its proceedings. If a member of the House committed a crime, he was answerable to the laws equally with any other man. Upon the whole, he considered the proposed punishment as disproportionate to the offence, and should therefore move an amendment. Mr. W. then moved to amend the resolution reported, by striking out the words, ' be for this disorderly behaviour expelled,' and insert in their place, ' is highly censurable, and that he be reprimanded by the Speaker, in the presence of this House.'

" Mr. Dayton (the Speaker) said, the length of the present debate had been complained of; but who, he asked, had first broke silence after the gentleman from Massachusetts (Mr. Thatcher) had expressed his wish that the vote might be taken without debate? It was the gentleman who had just sat down; and now he had given the committee another speech, and introduced a proposition calculated to produce further discussion. He wishes the gentleman from Vermont to be reprimanded by the Speaker. What could the Speaker say to him? He could only say, You have done an act which would disgrace a blackguard; come and take your seat in the House. You have insulted us with words which show your defiance of us, but come and sit with us and be our brother legislator.



"Were these words to be addressed to the member? The Speaker would sooner address him in words of *thunder* which would drive him from his presence.

"Mr. Nicholas hoped the committee would not be prevented from doing what it thought proper, because there might be a difference between the private opinion of the Speaker, and what he might be called upon to do in his capacity as Speaker.

"Mr. R. Williams denied that he was the first who began the debate.

"Mr. Dayton repeated that he was the first who broke silence after the gentleman from Massachusetts had wished the vote to be taken without debate.

"Mr. R. Williams said that it would appear, from the manner in which the gentleman had said he broke the silence, that he had begun the debate, which he did not. Mr. W. said, he was more strongly convinced than ever of the impropriety of extending the power of expulsion, since he had heard the passionate expressions of the gentleman from New Jersey. Was this the language of a *Judge*? He would not only pass the law upon the offender, but he would do it with thunder and vengeance! In his opinion, Mr. W. said, nothing could tend more to disgrace the councils of America than such heated language as this. It was sufficient to induce the people to say, 'We have too much liberty, too much freedom of speech; our Government is bad,' and to be ready to lay hold of any other that is offered to them. A sentiment of this kind tended more to destroy the Government than anything he had heard. Gentlemen talked of heat in debate; but where did it come from? Not from the gentlemen in opinion

with him, must be evident to every one. Whatever opinion might be held of his amendment, he thought it proper, and therefore made it; nor did he think it liberal in any man to treat it as it had been treated. Was it right to be told by a member, because he had moved an amendment like the present, that he should be *ashamed* to sit with him? Was this what the public expected to hear in its Legislative councils? He believed not. He thought it would do no credit to him who uttered the sentiment.

"Mr. Dayton said that the gentleman from North Carolina had misstated what he had said in several instances; but he did not think it worth while to set him right, it would be a waste of time and words.

"Mr. Harper was strongly opposed to the amendment. He was sorry to see gentlemen determined to support the member from Vermont, at all events, rather than lose a vote on favorite political questions. The reprimand proposed, he was confident, would have no effect upon them; besides it was a punishment of the lightest kind which the House could inflict, and by no means proportioned to the highest possible outrage."

Jefferson said that Harper wanted a monarchy in place of the republic. Hamilton called Harper a man of vanity.

"Mr. Dana condemned the wish that had been expressed for passing a silent vote upon this subject, and particularly the conduct of the gentleman from Maryland (Mr. S. Smith), for having expressed such a wish.

"Mr. D. said he did not mean to cast any blame upon gentlemen who differed from him in opinion; nor would he envy any gentleman the pleasure they would have in the com-

pany of the gentleman from Vermont, if they chose to associate with such a *kennel of filth*, let them do so; let them press him to their heart, and salute him as their brother, they may do it without envy; let them be designated as the companions of Mr. Lyon, by being pointed at, by 'There goes the member of Congress who voted to have Matthew Lyon as a companion!' If they felt themselves invulnerable to such a reproach, he acknowledged he had not attained to that degree of insensibility. He himself would put him away, as citizens removed *impurities* and *filth* from their docks and wharves."

Dana was not nearly the equal of Lyon in ability and real worth, and his language here shows he could play the low blackguard.

"Mr. S. Smith thought, as he had determined to say nothing upon this subject, that he should not have received the censure of any one. He had conversed with several gentlemen on both sides of the question, and he thought, in order to avoid a lengthy discussion, which could have no effect but produce heat, it would be best to take a silent vote on the question. The gentleman who had just sat down had called upon him as a military man. He did not come here as a military man, but as a legislator. It seemed as if gentlemen were determined to make him speak on this subject; if he had wished to do so, they would not have been able to keep him silent. He thought the gentleman last up had made a speech to little purpose. If military opinions were wanted, two military gentlemen had already given their opinions. If, twenty years ago, he had been asked an opinion, he supposed he should have given such a one as the gentleman from Connecticut would not have liked to hear.

" The question on the resolution was put and carried, 51 to 43.

" The committee then rose, and reported the amendment to the resolution, together with the evidence which had been taken before them. The House took up the amendment (relative to the offensive words in the defence) and agreed to it, 49 to 46.

" Mr. Macon said, it was observable there were two opinions in the House; one for expulsion, the other for a reprimand. He did not think the offence was such as would authorize an expulsion. He said there had been as many illiberal expressions in the course of this debate as he had ever heard. Gentlemen had talked of party doing this, and party doing the other, whilst they themselves are the first to mention it. He hoped they would have kept these things out of the sight of the world. If gentlemen of one description voted one way, those of another voted a contrary way. As for the punishment of being reprimanded in the face of the House, which would be entered upon the Journal, he thought it a very serious one, and he would almost as soon be hanged at once.

" The question was then taken by yeas and nays, and the amendment was negatived, 52 to 44.

" The question was next taken upon the resolution for expulsion, by yeas and nays, and carried, yeas 52, nays 44.

" The Constitution requiring two-thirds of the members present to carry a vote of expulsion, the motion was declared by the Speaker ~~was~~ carried.

" The following is the testimony taken in the foregoing case, as delivered in at the Clerk's table. The Speaker, Jonathan Dayton, Esq., of New Jersey, deposed as follows:

"When the ballots of the House for managers of the impeachment against Mr. Blount were brought to the table to be counted, and the committee who were named as tellers were actually engaged in that business, I walked forth from the Chair without adjourning the House, in order to take a little exercise about the room. I soon heard some expressions rather warmer than usual at the fire, behind me, and turning, observed that they passed between Mr. Lyon, of Vermont, and Mr. Dana, of Connecticut. I addressed myself immediately to them, and said, 'Gentlemen, keep yourselves cool;' and afterwards added, 'if you proceed much further, you will want seconds.' Upon this, Mr. Lyon addressed himself to me, and said, among other things, that he had in his own mind, designated the embassy to Cayenne for Mr. Dana; upon which, in order to give a turn of pleasantry to the conversation, I asked Mr. Lyon whether he had reserved for himself the mission to Kamtschatka, among the furred tribes. After a few other remarks, Mr. Lyon began some animadversions upon the temper of the people of Connecticut, and the conduct of their Representatives in Congress. He said he had good reason to know and declare, that the members from that State were acting in direct opposition to the opinions of nine-tenths of their constituents; that, regardless of the public good, they were seeking their own private interests; that their object was to obtain offices for themselves; that if they could not obtain the most lucrative, they would not refuse those which were less so, (mentioning two sums, which I think were nine thousand dollars and one thousand dollars;) that he, Mr. Lyon, had a good right to know the people of Connecticut, for he had to fight with them in his own district.

“ Upon this, Mr. Griswold, who was sitting in Mr. Harper's seat, asked whether he had fought them with a wooden sword or with *his* wooden sword. Mr. Lyon either not hearing this question, or affecting not to have heard it, continued his remarks to me, and added, that when the Connecticut people came into his district on visits to their relations, they came with strong prejudices against him and his politics; but, after conversing with them freely he had always succeeded in bringing them over to his side; that if he should go into that State and talk with the people, he could open their eyes and effect an entire change there. Upon which, Mr. Griswold laying his hand gently upon Mr. Lyon's arm, in order to attract his attention, said, ‘ if you were to enter into Connecticut for the purpose you mention, you could not alter the opinion of the meanest hostler.’ Upon which Mr. Griswold repeated the substance of a former question, and asked, whether, when he should come, he would take with him his wooden sword. Upon which followed the indecency which has given rise to this reference.

“ Samuel Smith, of Maryland, deposed as follows: ‘ I passed Mr. Lyon, who was engaged in a jesting conversation with other members such as gentlemen frequently amuse themselves with, when the House is not in actual business. Not thinking the conversation interesting, my attention was particularly directed to my letters, when I heard Mr. Lyon directing his conversation to the Speaker, who sat in the seat behind me, generally occupied by Mr. Dana; Mr. Griswold in that of Mr. Harper. Mr. Griswold then said something which created a loud laugh, which I did not hear, but which I have since understood, related to the wooden sword. I turned,

and observed that Mr. Lyon still continued his conversation, directed to the Speaker, and in the same style of jocularly, indeed, all the gentlemen appeared to be in perfect good humor, and to consider the conversation as amusing.

"Mr. Griswold had removed outside of the bar to where Mr. Lyon stood. At this time, having left my seat with the intention to leave the House, I leaned on the bar next to Mr. Lyon, and fronting Mr. Griswold. Mr. Lyon having observed (still directing himself to the Speaker), that, could he have the same opportunity of explanation that he had in his own district, he did not doubt he could change the opinion of the people in Connecticut; Mr. Griswold then said, 'If you, Mr. Lyon, should go into Connecticut, you could not change the opinion of the meanest hostler in the State.' To which Mr. Lyon then said 'That may be your opinion, but I think differently, and if I was to go into Connecticut, I am sure I could produce the effect I have mentioned.' Mr. Griswold then said, 'Colonel Lyon, when you go into Connecticut, you had better take with you the wooden sword that was attached to you at the camp at ——.' On which, Mr. Lyon spat in Mr. Griswold's face, who coolly took his handkerchief out of his pocket and wiped his face. Believing that the quarrel would go no further, I left the House.

"David Brooks, of New York, deposed as follows:

"At the time which has been mentioned, I was sitting in my seat, and the Speaker in Mr. Dana's. When he, Mr. Lyon, talked of contending, or fighting with the people of Connecticut, Mr. Griswold asked, if he had not better take his wooden sword. I thought he did not hear it, as I looked at him, thinking it a pressing question, and he did not change countenance,

but continued his conversation with the Speaker. Mr. Griswold then said, he does not hear me, or I said he does not hear you, I do not recollect which. Mr. Griswold afterwards went on the outside of the bar, and standing by Mr. Lyon, laid his hand on his arm, and said, 'You could not change the opinion of a single hostler in the State of Connecticut.' Mr. Lyon then talked of setting up a press in Connecticut, and fighting them on their own ground. Mr. Griswold then said, you will fight them with your wooden sword. Mr. Lyon then spit in his face. Upon this, Mr. Griswold stepped back with his right foot, looked steadily at Mr. Lyon, and stiffened his arm as if going to strike. Mr. Dana then observed, they would consider of this matter; and I said, this is not the place; there is a time and a place for everything. Mr. Griswold wiped his face with his handkerchief, and went out with his colleague.

"Samuel W. Dana, of Connecticut, deposed as follows:

"A very short time before the commission of the outrage now under consideration I stepped within the bar, and stood near the end of the desk which is in front of the seat usually occupied by myself, the Speaker being then in that seat. From the tenor of the conversation I judged that the member from Vermont had been speaking of his ability to effect some great object in Connecticut; when Mr. Griswold replied, according to my present recollection, to this effect: 'You could not, if you should go into Connecticut with your wooden sword and candle;' alluding, as I then apprehended, to a report in circulation, which, as also that of the sword, I knew to have been heard by Mr. Griswold and by the member from Vermont. On this the member from Vermont spit in Mr. Griswold's face.



"Considering the observations of some gentlemen of the committee, perhaps, in justice to the member from Vermont, I ought to mention that, while Mr. Griswold was in Mr. Harper's seat, I was in the passage leading from the eastern door of the hall to the Speaker's table, and conversed for a short time with Mr. Griswold and Mr. Brooks, when I was informed that Mr. Griswold had spoken to the member from Vermont, and alluded to the report of the wooden sword. On inquiring what answer was made to this by the member from Vermont, Mr. Griswold observed that he believed it was not heard by the member from Vermont, as he made no answer to it. This was before the conversation which immediately preceded the personal outrage offered to Mr. Griswold, and, I think, at a different time from any which I have before mentioned.

"Chauncey Goodrich, Esq., of Connecticut, deposed as follows:

"The only information I have on the subject, relates to a conversation with Mr. Lyon, relative to his having been cashiered in the Army. I came from New York to this place, this session, in a stage taken by Mr. Champlin, together with him, Mr. Otis and Mr. Lyon. We were the only persons in the stage for a considerable part of the way. I had but little personal acquaintance with Mr. Lyon before this time. Mr. Lyon, on the way, seemed to be disposed to give us the history of his life. It was filled up, according to the account he gave us, with many singular and ludicrous anecdotes. The ludicrous anecdotes that he told of himself, in a jocular manner, produced from the gentlemen with him a kind of pleasantry.

"I think either immediately, or some time before Mr. Lyon adverted to the subject, something was said of Mr. Lyon's

having been in the Army; I cannot be very minute in the account he gave. I recollect his saying that allusions to his having been cashiered had been in the public papers, that it was a matter of great mortification; that he could not bear to hear of the affair; that it happened when he was young. He said that he was a subaltern officer of a corps stationed on the frontier, at a great distance from the main Army, and without support; that the officers and men were uneasy, and discontented with their situation; that they considered it as being too exposed; that he, at a certain time, was out with a party of the men; that when he returned, he found the corps to which he had belonged either had abandoned, or were abandoning (I cannot say certainly which), their post; that they went to some distance, where they made a halt; that he endeavored to persuade them to return, they refused, the officers insisted that he should go to headquarters to General Gates, and make a representation of their situation; he went, upon being introduced to General Gates, and introducing the subject, General Gates damned him for a coward, and ordered that he should go into the custody of a guard; that he, Mr. Lyon, insisted on his rights, as an officer, not to be put under guard. That the Adjutant-General, an aid of General Gates, said something on the subject, and Mr. Lyon was finally arrested, tried with the rest of the officers, by a court martial, and sentenced to be cashiered from the Army.

"I do not recollect having mentioned this conversation to Mr. Griswold, my colleague.

"Christopher G. Chaplin, Esq., of Rhode Island, deposed as follows:

"I have attentively considered the evidence given to the

Committee of the Whole, by Mr. Goodrich, and to the best of my recollection, it is correct.

"Joseph B. Varnum,<sup>a</sup> Esq., of Massachusetts, deposed as follows:

"On the day on which the House were balloting for managers of the impeachment of William Blount, the ballots being collected, and the tellers counting them, I was standing at the fire in the west part of the House, in company with other gentlemen; the Speaker having left his chair, and the members generally their seats. Mr. Lyon came up to the exterior of the circle round the fire, and observed, that he imagined there would be a bustle; that he had spit in Griswold's face. I observed to him that I was exceedingly sorry for it, and asked him how a thing of the kind could possibly have taken place. Mr. Lyon then told me the circumstances which he said provoked him to do the act.

"Q. Did Mr. Lyon tell you that he heard Mr. Griswold twice use the expression respecting the wooden sword?

"A. Yes.

"The following narrative was given by Mr. Lyon, in the course of his defence before the Committee of Privileges, on Thursday, the 1st of February:

"Gentlemen of the Committee: After having heard so much about the 'wooden sword,' an expression, the repetition and application of which in an indignant manner has caused you this present trouble, I hope you'll indulge me with a patient hearing to a short narrative of the circumstance which awakens my feelings, and utterly disables me from bearing such reflections.

<sup>a</sup>Representative Varnum was the great-grandfather of a recent Surrogate of New York, Hon. James M. Varnum.

"Twenty-one years have elapsed since the unfortunate affair, during which, it has slept in oblivion, until party rage and party newspapers tore open the wound in my breast.

"To pursue the narrative: General St. Clair, who presided at the Court Martial, which condemned me, in the summer succeeding that misfortune, recommended me to General Schuyler, informing him (as I suppose) of my ill-usage and of my subsequent services, and obtained for me a commission of Paymaster to a Continental regiment commanded by Colonel Seth Warner, which commission entitled me to the rank of Captain. In this I was again unfortunately led into trouble, as the officers of the regiment had, previous to my appointment, petitioned Congress for the restoration of the former Paymaster, who had been cashiered, and was the son of a Congressman of Connecticut.

"Notwithstanding the coldness this created towards me, and the consequent bickerings, no officer ever thought proper to mention to me the unhappy affair of the preceding summer. In this regiment I served at the capture of Burgoyne; and the succeeding spring when my family could return to my plantation, from which Burgoyne's invasion had drove them, at the solicitation of Governor Chittenden, and many other friends, I resigned at a time when the officers of the regiment, almost all, had become reconciled, and wished my stay. Immediately on my resignation I was appointed Captain in the militia, and to several civil offices under the authority of the State of Vermont, which had newly formed a Constitution and set up government.

"In the year 1778, I was appointed a member of the Legislature, in which station I served my country ever since, save

two years, until my appointment to Congress. I held a station in the militia, until the command of the regiment I lived in, with a full Colonel's commission, was given me. I moved to where I now reside about the close of the war, and I have had no concern with military matters, nor been a candidate for any military position since.

"Thus circumstanced, gentlemen of the committee, I must appeal to your own feelings, whether it belonged to me to receive with impunity the aggravated insult offered me by that young gentleman, Mr. Griswold. The station I now hold points out to you the propriety of giving full credit to the plain story I now tell you, especially as it is corroborated by evidence. The proper testimony to support this narrative I will procure and lay before the public as soon as the situation of the evidences will admit.

"I shall conclude with making some observations on the testimony, all of which corroborates that I was standing without the bar conversing with the Speaker, who sat on an outside chair; the subject I believe it is apparent was Mr. Nicholas's motion. I did not like the opposition given to it by the Connecticut members. I insisted they did not act with the sense and understanding of the people of that State. This led to saying many other things; though my discourse was directed to the Speaker, it appears I had the wit and raillery of five or six gentlemen from New York and Connecticut to withstand and reply to; it appears that I supported it with good humor.

"It appears also, by the testimony, that Mr. Griswold, in Mr. Harper's seat, gave me a most cutting insult. The Speaker whom I was in conversation with, heard it as well as

some others; they testify that I did not appear to hear it. Why not hear it as well as they? For no other reason than to keep up the prevailing good humor. But Mr. Griswold, not satisfied with the insult already given, says to one of the witnesses, 'He does not hear me,' and removes and intrudes himself to my side, pulls me by the arm to call my attention — and then more particularly and more deliberately repeats the insult, knowing it to be the most provoking abuse that one gentleman could possibly offer another.

"Under all these circumstances, I cannot but entertain the fullest assurance that I stand justified for the repulse of that deliberate insult offered me by Mr. Griswold, in the view of the Committee of the House of Representatives, and of every man of honor or feeling who shall ever hear the story.

"Thursday, February 15.

"FRACAS IN THE HOUSE.

"(About a quarter past eleven o'clock, after prayers, whilst the Speaker was in his Chair, and many members in their places, but before the House had been called to order, and before the Journal had been read, Mr. Griswold entered the House, and observing Mr. Lyon in his place (who was writing), he went up to him with a pretty strong walking stick in his hand, with which he immediately began to beat him with great violence. Mr. G.'s approach was observed by Mr. Lyon, but before he could get from behind his desk he had received some severe blows. As soon as he got on the floor of the House he endeavored to lay hold of Mr. G. (having no stick or weapon in his hand), but he was prevented from so doing by Mr. G.'s falling back, and the continual blows with which he was assailed. At length getting

behind the Speaker's chair, Mr. Lyon snatched up the tongs from the fire; the combatants then closed and came down together on the floor, Mr. G. being uppermost. The members of the House who till now seemed to look on with amazement at the scene, without an attempt to put an end to it, got round the parties and separated them, but not before Mr. L. had aimed a blow at Mr. G.'s head with the tongs, but which he parried off. The Speaker was now called upon to desire the members to take their seats, and form the House. Whilst this was doing, the two enraged members met again without the bar, and but for the doorkeeper and some gentlemen present, would have renewed the combat. Order having been obtained (at least as much as it was possible to obtain from the agitated state of the House), the Clerk proceeded to read the Journal, and the business of the day was entered upon. It continued till one o'clock, when from the perturbation which was naturally occasioned by such a scene, and it being evident that business was very little attended to by a great part of the House, a motion for an adjournment was made and carried. It will be seen that no notice was taken of this proceeding in the course of the sitting.)

" Friday, February 16.

" CASE OF GRISWOLD AND LYON.

" Immediately upon the Journals having been read,

" Mr. Davis of Kentucky, rose and proposed the following resolution for the adoption of the House:

" *Resolved*, That Roger Griswold and Matthew Lyon, members of this House, for violent and disorderly behaviour committed in the House, be expelled therefrom.'

" Mr. Nicholas hoped the resolution would be permitted to lie on the table.

" Mr. Davis saw no reason for delaying a decision upon this resolution. He thought the conduct of these gentlemen had been so grossly violent, and so notorious to most of the members of the House, that there need be no hesitation in deciding upon it. And as he believed neither the dignity, the honor, nor peace of that House could be preserved while these members remained in it, he hoped the House would be unanimous in voting their expulsion.

" Mr. Thatcher did not see why the innocent should be punished with the guilty. The gentleman who brought forward this proposition, he supposed, did not wish this. From what he saw of the affray, he did not think Mr. Lyon deserved to be punished for the part he acted. He certainly received a severe beating, but he appeared to be passive from the beginning to the end; and he did not think Mr. Lyon ought to be expelled because he was beaten.

" Mr. J. Parker seconded the motion for the expulsion of these members, because he believed there would be no peace in the House until they were expelled. He was sorry that gentleman from Massachusetts should have said he saw nothing but what was passive on the part of Mr. Lyon. For himself saw more, and that gentleman must have seen it if he had his eyes about him. He said, that after the offending members had been separated, Mr. Lyon met Mr. Griswold without the bar of the House and began to belabor him with his cane, when they were again separated.

" Mr. Otis proposed the following resolution for adoption =

" *Resolved*, That Roger Griswold and Matthew Lyon



members of this House, be respectively required by the Speaker to pledge their words to this House, that they will not commit any act of violence upon each other during this session; and that if either refuse to make such engagements, the party refusing shall be committed to the custody of the Sergeant-at-Arms, until he shall comply with this obligation.'

"Mr. Sewall understood a motion had been agreed to in relation to the affair of yesterday, which might produce an expulsion of the members in question.

"The question was then taken on the resolution and carried by a large majority, there being 73 votes in favor of it.

"The Speaker asked, whether it was the pleasure of the House that the Sergeant-at-Arms should be sent for Mr. Lyon.

"Mr. Sitgreaves said it might not be convenient for Mr. Lyon to attend the House; he asked whether the resolution might not be sent to him, and his answer be received in writing?

"Mr. Nicholas supposed, that if both gentlemen prepared a declaration in writing, and presented it to-morrow, it would answer the purpose.

"Mr. Harper replied, the mischief intended to be guarded against might in the mean time be done.

"Mr. Gallatin said, he had just been called out by a member of the House, who had asked him whether he thought it would be proper for Mr. Lyon to attend the House. He supposed, therefore, if the Sergeant-at-Arms were sent for him, he would immediately attend.

"Mr. Harper hoped the Sergeant-at-Arms would be sent.

"The Speaker said, as soon as the Clerk had made a copy

of the resolution, the Sergeant-at-Arms would wait upon Lyon with it.

" Mr. Lyon having entered,

" The Speaker said, the members from Connecticut and Vermont being now in their places, he should proceed to read resolution which had been entered into by the House. then read the resolution.)

" As soon as it was finished reading,

" Mr. Griswold rose and said, he should not hesitate to e into the proposed engagement.

" Mr. Lyon also rose and said, he was ready, as it was wish of the House, to agree to the proposition.

" The Speaker said, then you do accordingly agree to proposition?

" Both answered, ' I do agree.'

*" Mr. James Gillespie's Testimony.*

" James Gillespie being sworn, saith, that on Thursday morning, the 15th instant, he came into the House of Representatives after prayers, and the Speaker had taken the Chair that whilst he was warming himself at the fire next on right of the door, he saw Matthew Lyon, the member from Vermont, come to the letter bag, and was putting in some letters, as he, this deponent, passed him going into the House that he also saw Roger Griswold sitting in a chair at some distance from the Speaker's seat, with a large walking stick standing near him; that I went immediately to the alphabet and made search for my letters, and as I turned to my seat to read them, I heard a noise of blows, etc.; on looking that way I saw Roger Griswold strike Matthew Lyon, who was

his place near the center of the front desk opposite to the Speaker's seat where he was then sitting, that as Mr. Lyon was getting round the desk he received two or three blows, and on attempting to close in with Mr. Griswold, he, Mr. Lyon, received several strokes with the stick from Mr. Griswold. That the deponent conceiving, from the complexion of the affair, that it was a preconcerted plan, did not interfere, but asked the Speaker to call to order, which he declined, although the call was loud from different parts of the House. That as Mr. Lyon advanced on Mr. Griswold, he retreated back towards the window near the Speaker's seat, by which Mr. Lyon became possessed of a pair of tongs and struck at Mr. Griswold, on which Mr. Griswold closed with him and they fell, and in a little time were parted. That Mr. Lyon expressed disapprobation at being parted, and said, as he was rising, I wish I had been let alone awhile. That the deponent recollects that, as he turned to his seat, he saw Mr. Sewall, from Massachusetts; and on he, the deponent, expressing his disapprobation of such conduct, Mr. Sewall replied it was right, for we ought to have done them justice, and expelled Mr. Lyon; to which I answered, take to yourselves all the justice and credit that appertains to it; and went and read my letters, and heard no more for some time; when, looking up I saw Mr. Sitgreaves going out of the south passage, with a walking stick, I believe, for Mr. Griswold; and then, and not before, the House was called to order, when this deponent thinks it was more than half past eleven o'clock.

“JAMES GILLESPIE.

“Sworn and subscribed, the 17th February, 1798.

“Coram: Reynold Keen.

*"Questions by Mr. Sewall.*

"Question. Did not the conversation you suppose to have happened with me, take place when you was, and I appeared to be, agitated with the confusion of the scene?

"Answer. It was. I returned to my desk to read my letters from the first scene, and I presume somewhat agitated.

"Question. Are you in any degree positive of the words you state to have heard from me?

"Answer. To the best of my recollection, these were the words used, or they were words to the same effect.

*"Mr. Havens's Testimony.*

"Some short time after eleven o'clock, the House attended on prayer. After this was over, I was walking in the south end of the hall without the bar, and saw Mr. Lyon come in, with his cloak on, and go to his seat, which is the fourth from the end of that front row of seats which is on the left side of the passage leading up to the Speaker's chair. I saw him pull off his cloak and take his seat, and perceived that he had a small cane in his hand, which he either put between his legs, or leaned against a chair beside him, in such manner that the end of it was under the long desk that was before him. After he sat down, he appeared to be engaged either in writing or reading the papers that were before him.

"It was then about half past eleven, and the Speaker was sitting in his chair, but had not called the House to order; and I then saw Mr. Griswold coming from the north end of the hall across the area in front of the Speaker's chair, with a large yellow hickory cane in his hand. Although I was looking that way as I was walking, I did not notice him much until he came within about six or eight feet of Mr. Lyon.

He was then walking across the floor in a sidelong manner towards Mr. Lyon, and Mr. Lyon was sitting with his face down looking on his papers, and, as I presume, did not perceive the approach of Mr. Griswold; and, if my memory serves me right, I think he was sitting with his hat on. As soon as Mr. Griswold had come in front of Mr. Lyon, he struck him with all his force over his head and shoulders, with the smallest end of his cane, repeating his blows as fast as possible. Mr. Lyon, I think, received three blows in this posture before he rose to disengage himself from the desk that was before him and the chairs that were on each side of him. He appeared to be then trying to recover his cane, which was under his desk, but could not do it by reason of the violence of Mr. Griswold's blows over his head and shoulders. He then rose from his seat and got out at the end of the desk, defending himself with his arms against the blows of Mr. Griswold, and then rushed towards Mr. Griswold and Mr. Griswold retreated towards the front of the Speaker's chair, and endeavored to keep Mr. Lyon at a distance from him, that he might strike him more conveniently with his cane. There was no person sitting in the same row of seats with Mr. Lyon when this assault began. The Speaker was in his chair; and as soon as the assault commenced, I expected he would cry out 'order,' with a loud voice, but he did not. I was induced to suppose this, because I always understood that the rule of the House gave the Speaker a right to call the members to order after the hour to which the House stood adjourned, although there might not be a sufficient number of members present to proceed to business.

"From the situation in which I stood I could not well perceive how this happened, but I saw Mr. L. on the floor with

Mr. G.'s head and shoulders on his breast, and Mr. G.'s legs were directed towards me as I came from the other end of the room. Mr. L. was then endeavoring to disengage himself from Mr. G., and had raised himself partly up, and I then perceived that he had a black eye. I then seized hold of Mr. G.'s left leg to pull him away from Mr. L., and another member, whom I afterwards noticed to be my colleague, Mr. Elmendorf, seized at the same time hold of Mr. G.'s right leg with the same view. As soon as we had done this, Mr. Speaker cried out to me and said, 'That is not a proper way to take hold of him.' I asked him why? He replied, 'You ought to take hold of him by the shoulders.' I said it would not hurt him to pull him a foot or two on the carpet. We then in this manner pulled Mr. G. from off Mr. L., and by this time a number of other members had gathered round, and the affray appeared to be over. I then walked back to the south end of the hall, to the place where I stood when the assault began. Mr. G. then passed by me, and went to the easternmost shelf on which water stands for the use of the members, and was drinking when Mr. L. passed by me with his small cane in his hand, and went to the same shelf to drink with Mr. G. As soon as Mr. L. had drunk a little, he looked up, and perceiving that it was Mr. G. who stood close by him, he said, 'Is it you?' and struck at him with his cane, and hit him upon his left shoulder or cheek. I observed that Mr. L.'s blow was but a feeble one, and Mr. G. then retreated from him six or eight feet. I then saw Mr. Sitgreaves run to the southeast corner of the room and get a large hickory cane, and passing by Mr. L. with a good deal of animation in his countenance, he put the cane in Mr. G.'s hand. Mr. L. then put himself in a posture of defence, and

said, 'Come on.' I then cried out 'Order!' and Mr. Thomson, from New Jersey, then stepping up and looking me full in the face said, 'What is the matter?' I replied, I would have no more fighting here. Mr. G. then retired, and Mr. Speaker called the House to order, and so the affray ended.

*"Mr. Gordon's Testimony.*

"When separated, I saw Mr. G. go towards the outside of the bar, I suppose with a view to take some water. Shortly afterwards I saw Mr. L. making towards that part of the House where Mr. G. was. He approached Mr. G., who was standing at the entrance to the bar, and struck him with a cane. Mr. G.'s cane was instantly handed him, and he was making again towards Mr. L., when there was a loud call to order for the first time; this was instantly repeated by the Speaker. I laid hold of Mr. G., sundry persons threw themselves between him and Mr. L., and Mr. G. instantly retired and took his seat.

"William Gordon.

*"Mr. Elmendorf's Testimony.*

"From my seat, which is the second in the third row, almost directly behind Mr. Lyon's, which is the middle seat in the front row, I observed him in the same posture immediately before I heard the first blow of a cane; upon hearing which, I observed him still sitting, with his arm in the position of covering his head and warding off blows, and the other in feeling, as I thought, for a cane on the floor, beside or before him. I saw Mr. Griswold at this time on the open floor directly before him, beating him with all the strength and dexterity apparently in his power, with a cane of the stoutest kind of American made hickory, and repeating his blows as fast as I thought he could

make them. Under this pressure, Mr. Lyon in a defenceless state, made out of his seat side-ways, being hemmed in before and behind by the desks and seats, so that it was wholly out of his power to escape a single blow, or to interrupt Mr. Griswold in the act of beating him. Immediately, I myself, for one, rose in my seat, and loudly and repeatedly called out to the Chair for order. I heard the same call from different parts of the House; but I did not observe nor hear any effort from the Speaker to restore it, or any personal attempt by any one near to interfere and prevent the attack. On the contrary, I think I distinctly heard the Speaker reply that the House had not yet been called to order, as a reason for not interfering at all. As soon as Mr. Lyon had got out of the row of seats, he made towards Mr. Griswold, and made every effort to close with him, as it appeared to me. Mr. Griswold, on his part, avoided this, by holding him off with his left arm, stepping back, and continuing to beat Mr. Lyon with his cane, as before, until in this way they both got to the fire-place, to the left of the Speaker's chair. I then heard the noise of the tongs, and immediately after saw them have hold of each other, and Mr. Griswold's cane falling out of his hand. Soon after they both fell, having hold of each other, Mr. Griswold partly upon Mr. Lyon. At this time I got to the place where they were engaged, and called out to part them. I heard the same cry from behind the chair, and I also heard the opposite cry from others, not to part them. Mr. Havens and myself each took hold of Mr. Griswold's legs, and, I think, together, drew him off from Mr. Lyon. At the same time, I think, I saw others have hold of Mr. Lyon. When the Speaker observed Mr. Havens and myself taking hold of Mr. Griswold, he, with ap-



parent warmth, as if thereby to prevent our interfering, called out, in substance, as nearly as I can recollect, 'What! take hold of a man by the legs! that is no way to take hold of him.' Notwithstanding, I persevered, and, I think, Mr. Havens assisted me, in drawing Mr. Griswold apart from Mr. Lyon. Mr. Lyon went direct from that place to his seat, where he got a small cane, and went from thence south of the bar, where I saw him and Mr. Griswold soon after meeting, and Mr. Lyon making up to him, Mr. Griswold retiring from Mr. Lyon, and Mr. Lyon making a blow at him with his cane, which Mr. Griswold, I think, received on his arm or shoulder.

"The loud cry of 'order' from all parts of the House, and from the chair, here put an end to the affray.

*"Mr. Stanford's Testimony.*

"When the riot commenced in the Hall of Congress, on the morning of the 15th instant, between Mr. Griswold and Mr. Lyon, it was about twenty or thirty minutes after eleven o'clock. Prayers were over, but the House was not yet called to order. Sitting in my chair, I was attentively reading some letters I had just received. In an instant, the sudden bustle arrested my notice. Not having observed either of the parties enter the Hall, I then saw Mr. Griswold on the area of the floor, with an apparently heavy stick, making a blow (perhaps not the first) at Mr. Lyon, who was between his desk and chair, in an half rising position. This blow, I think, he received on his left arm or shoulder, and a second as he was disengaging himself from among the desks and chairs. Once possessing the floor, he essayed to join Mr. Griswold, who evaded him by a retrograde step, and a third blow, which fell upon Mr. Lyon's

head, his hat being off. Then beating back a little to the left of the Speaker's desk as Mr. Griswold approached, repeating his strokes, Mr. Lyon again attempted to close in with him, but failed, and made suddenly behind the Speaker's desk, which, with the crowding members, for a moment intercepted my view. Then instantly again I saw Mr. Lyon with a pair of tongs elevated for a stroke at Mr. Griswold, which seemed to be somewhat parried, so as not to be fully made. A collision, I think, of the stick, tongs and persons now took place, Mr. Griswold about this time lost his stick; thus clung, they came down together. The fall, I rather think, I did not see, from the intervening members; but when down, they appeared to be grappled about the head and shoulders, and Mr. Griswold rather uppermost. The confusion of the House was great, and the cry of 'Part them' pretty general. Thus, while some gentlemen were disentangling their hands, others had Mr. Griswold by the legs, and were pulling him away, which was effected.

"The Speaker, standing on the steps of his desk, said that it was either unfair or ungentlemanly to take a man thus by the legs. General McDowell then observed, that he (the Speaker) had acted his part in the business; and the Speaker asking what he said, General McDowell repeated his observation, and the Speaker answered, what could he do, the House was not called to order, he could not help the event. The General replied he supposed he could not.

"The parties having been separated, and left at large, they casually met again after a small space, at the south water-stand without the bar, when Mr. Lyon, as soon as he appeared to discover who it was, raised his stick, which he had got hold of

n the interval, and struck Mr. Griswold on the shoulder or arm. The stroke was quite light, being hastily made, and with a stick not very large. Mr. Griswold then beat back to the entrance of the bar, where some one, I think Mr. Sitgreaves, ran, and met him with a similar or the same stick, which he had lost in the first rencontre. Mr. Lyon, also, after striking, stepped back from the water-stand, elevated his stick, and stood in an attitude of defence. Now it was that the Speaker called to order, and no other conflict ensued. Mr. Griswold presently returned to his seat, and Mr. Lyon remained at the water-stand.

“CASE OF GRISWOLD AND LYON.

“The House proceeded to consider the report of the Committee of Privileges, of the twentieth instant; and the same being again read in the words following, to wit:

“‘The Committee of Privileges, to whom was referred a resolution in the following words:

“‘*Resolved*, That Roger Griswold and Matthew Lyon, members of this House, for riotous and disorderly behavior, committed in the House, be expelled therefrom,’ with instructions to report the evidence in writing, have, according to the order of the House, proceeded to take the evidence, which they herewith report; and they report further, that it is their opinion that the said resolution be disagreed to.’

“Mr. Giles thought it would comport more with the dignity of the House to decide this business without going into a Committee of the Whole, as he believed every one had made up his mind upon it. If gentlemen intended by the course heretofore taken to raise the dignity of the House, he thought they

had deceived themselves; for he believed the House was never in a less dignified attitude than during that discussion.

"The question on agreeing to the report of the committee, which recommended a disagreement to the resolution for an expulsion of the two members was then taken, and stood—yeas 73, nays 21.

"Mr. R. Williams proposed a resolution in the following words:

"*'Resolved, That Roger Griswold and Matthew Lyon for riotous and disorderly behavior in this House, are highly censurable, and that they be reprimanded by the Speaker in the presence of this House.'*

"And the yeas and nays were taken, and stood, yeas 47, nays 48."

Lyon was not expelled; Griswold was not even censured. The spasm of virtue which broke out among the Federalist sticklers for the proprieties when Mr. Lyon was the offender, and the purists and saints were bent on purging the temple of the Democratic sinner, evaporated into thin air as soon as Griswold rushed in with his stick and proved the arguments of his friends to be the idle vaporings of humbug and false pretenses. The purists and saints became the apologists and upholders of Griswold, that most flagrant violator of law and order who has ever cut loose as bully and bruiser on the floor of the American Congress.

A history of Congressional brawls, fisticuffs and duels would be replete with many tragic, some amusing, and numerous disgraceful scenes, as a glance at a few of them will disclose.

Andrew Jackson elected to Congress from Tennessee in 1796, and soon transferred to the Senate, challenged his col-

league Senator William Cocke to fight with pistols. Compromised.

Senator James Gunn, of Georgia, in 1796 challenged Abraham Baldwin, a member of Congress from the same State, to fight a duel. Senator Frederick Frelinghuysen, of New Jersey, bore the challenge. Baldwin laid the whole correspondence before the House, saying, he was opposed to duelling. A committee was appointed with Madison at its head, and Gunn and Frelinghuysen apologized. In his apology Gunn got off a parting shot at Baldwin by observing, "that though the place in which Mr. Baldwin has thought proper to disclose this transaction is quite unexpected, it shall be to him an inviolable sanctuary." Apologies received were satisfactory to the dignity of the House.

In 1819 Senator Armisted C. Mason, of Virginia, the friend of Matthew Lyon, fought a bloodthirsty duel at Bladensburg with his cousin Col. John McCarty of the same State. Mason was killed at the first fire, and profound feeling of national horror was aroused. At an earlier day John C. Calhoun, of South Carolina, and Thomas P. Grosvenor, of New York, had a difficulty in the House, and a duel was narrowly prevented. Daniel Webster, of Massachusetts, and John Randolph, of Virginia, had a Congressional misunderstanding, and the latter challenged the former, who declined to submit the question to the code duello. When Henry Clay, of Kentucky, was Secretary of State under John Quincy Adams, John Randolph made a speech in the Senate denouncing Adams and Clay in terms of unparalleled severity. Clay challenged Randolph, and Colonel Benton, who was second to the latter, has a very interesting account of the fight in his "Thirty Years' View in the

United States Senate." Colonel Benton himself had a terrible hand to hand pistol and sword fight with Andrew Jackson at Nashville, next killed Mr. Lucas, of Missouri, in a duel, and afterwards came near being killed himself on the floor of the Senate by the irrepressible Henry S. Foote, Senator from Mississippi. "Let the assassin shoot," exclaimed Old Bullion, advancing upon his foe, as Governor Foote during a stormy debate drew out his pistol and was leveling it at the Missourian, when several other Senators rushed between the two and prevented a collision. Governor Foote at a subsequent day had a quarrel in the Senate with Col. John C. Fremont, of California. The dispute was renewed in the lobby, when Foote knocked down the Pathfinder. On another occasion Foote and Jefferson Davis, the two Senators from Mississippi, had a fight at the breakfast table in Mr. Price's boarding house on Capitol Hill. William H. Crawford, of Georgia, killed his man in one duel, and in another was wounded by Gov. John C. Clark, of Georgia. In 1838 Representatives Turney, of Tennessee, and Bell of the same State, had a free fight on the floor of the House. In 1840 Henry A. Wise and George W. Hopkins, both of Virginia, got into a wordy war in the House. Jesse A. Bynam crossed over to Rice Garland's seat, and when in his hearing insulted him directly. Garland struck Bynam a heavy blow. "They had a fisticiff bout till they were parted," says John Quincy Adams in his Memoirs and Diary, and adds: "There was an electrical shock of confusion in the House. The Speaker called to order "and," the ironical ex-President concludes, "the lamentation speeches began." The same Bynam, of North Carolina, and Daniel Jenifer, from Maryland, subsequently fought a duel.

In 1841 Representative John McKeon, of New York, spoke in favor of striking out the appropriation for the Mission to Naples. Henry A. Wise, of Virginia, and John Stanley, of North Carolina, took part in the debate. Stanley called Wise a liar, who crossed over to the former's seat and struck him. A fight ensued on the floor. A rush, confusion, chaos for a few minutes, and then a call to order. Wise rose and apologized to the House, but said he could not brook the insult. Stanley said he had no apology to offer, and that he would have whipped Wise if let alone. In 1844 Congressmen Thomas L. Clingman, of North Carolina, and William L. Yancey, of Alabama, fought a duel; after an exchange of shots the affair was settled. The saddest duel since that of Mason and McCarty in 1819 was the one in 1838 between Representative Jonathan Cilley, of Maine, the schoolmate and friend of Longfellow and Hawthorne, and Representative William J. Graves, of Kentucky. Cilley was killed and popular indignation ran high against those who had anything to do with the fatal meeting. Indeed I may say that the three fatal duels of Burr and Hamilton, McCarty and Mason, and Graves and Cilley contributed more powerfully than all the rest together to render the odious practice unpopular, and to do away with the "erudite discrimination of a hair trigger." On one occasion Gen. Andrew Jackson challenged Gen. Winfield Scott, who declined to fight. On another (1832) General Samuel Houston, of Texas fame, ferociously beat Representative Wm. Stanberry, of Ohio, with a stick, on Pennsylvania avenue.

The nearest approach to Griswold's attack on Lyon in 1798 which has ever occurred in Congress was the attack on Senator Charles Sumner, of Massachusetts, on the floor of the Senate

by Representative Preston S. Brooks, of South Carolina, on the 22d of May, 1856. The Senate was not in session, but a few members were in their seats when Brooks attacked Sumner with a cane, and beat him with all the severity which Griswold had employed against Lyon. Sumner, though a large man, did not display Lyon's pugnacity (perhaps he was disabled and could not), but the attack on him by Mr. Brooks, although Mr. Sumner had dealt savagely in debate with Senator Butler, the uncle of Brooks, was justly and very generally denounced as an outrage. During the same year John Sherman, of Ohio, and John M. Wright, of Tennessee, had a scuffle on the floor of the House. Seizing a box of wafers Sherman attempted to throw a handful of them into Wright's face, who on his part dealt Sherman a blow with his fist on the head. The latter attempted to draw his pistol, but before he could do so members rushed between and separated them. In 1858 Galusha A. Grow, of Pennsylvania, and Lawrence M. Keitt, of South Carolina, had a regular slugging match in Congress. The conflict spread to others, and between thirty and forty members were fighting fiercely in front of the Speaker's desk. Gen. William Barksdale, of Mississippi, who afterwards fell at Gettysburg, rushed at Mr. John Covode, of Pennsylvania, who seized a heavy spittoon and was about to throw it at Barksdale, but at that moment somebody grasped the latter by the hair of the head, which proved to be a wig and came off in the fierce swoop, leaving him perfectly bald, with pate glittering in the gaslight. Everyone was moved to laughter, when the Sergeant-at-Arms, with his uplifted mace and helped by his posse, finally became able to stem the heady fight. "Last night we had a battle royal in the House," says Alexander H.



Stephens in a letter to his brother, dated February 5, 1858. "Thirty men at least," he writes, "were engaged in the fist-cuff. Fortunately no weapons were used; if any had been on hand it would probably have been a bloody one." Since the civil war not one duel that I can recall has taken place as a result of Congressional wrangling. Perhaps people got enough fighting at that dreadful period to last for a long time to come. Laird, of Nebraska, and Cobb, of Indiana, fought in the lobby in 1886, and Congressman Lowe, of Alabama, challenged warrior John Logan, Senator from Illinois, in 1879 for words spoken in debate, but the challenge was not accepted. Fists and cudgels, disgraceful as they are among our enlightened statesmen, are not after all so bad as hair-triggers and carbines. A black eye or bloody nose is better than a funeral with widow and orphans.

The first Congressional battle has never been eclipsed in celebrity by any subsequent conflict in the annals of Congress. Lyon and Griswold hold the ribbon as the most celebrated Hotspurs who have yet entered the Congressional arena.

## CHAPTER VI.

PERSONAL WAR OF ADAMS AGAINST LYON—THE ALIEN AND SEDITION LAWS AIMED AT THE VERMONTER—HAMILTON AT THE BACK DOOR OF THE ADMINISTRATION—THE X Y Z IMPOSTURE—WAR WITH FRANCE IMMINENT—HAMILTON DESTROYS HIMSELF BY INTRIGUE—LYON, LIKE JOHN HAMPDEN, BECOMES TRIBUNE OF THE PEOPLE—HIS INDICTMENT, TRIAL AND CONVICTION—RE-ELECTION WHILE IN PRISON AND TRIUMPHANT RETURN TO CONGRESS.

THE reader of the last chapter could scarcely fail to be impressed with the truth of Jefferson's vivid account of the afflicting persecutions visited upon the Democratic minority by the Federalists in Congress during the administration of Mr. Adams. Matthew Lyon; accustomed to speak in the language of no master, raised the standard of revolt, and, as Chaplain Ashbel Green worded it, he refused to be made by the "dominant Federal party the butt of their ridicule."<sup>a</sup>

The fracas with Griswold who, the Rev. Dr. Green asserts, was "confessedly the aggressor,"<sup>b</sup> and the failure of the determined effort of the Federalists to expel Lyon, proved the first check to the brow-beaters. But a more important result of that failure was its effect upon the President. It roused the bull dog in John Adams, who by nature was quite as combative as Matthew Lyon himself. The President had taken a

<sup>a</sup> "The Life of Ashbel Green," V. D. M., p. 267.

<sup>b</sup> *Ibid*, same page.



JOHN ADAMS.



dislike to the Vermont member ever since his outspoken remarks, at the preceding session, in opposition to Congressmen trooping through the streets to the Executive Mansion to make their obeisance and answer to his Majesty's speech. The President's vanity was wounded by Lyon's pungent description of the ceremony as "a boyish piece of business." Cobbett was let loose upon the offender, Chipman became a whisperer of forgotten gossips, the Griswold incident followed, and all to no purpose the Federal hue and cry was raised against the Vermont Democrat.

After the mortifying failure of the dominant party to cast him out of Congress, Lyon became a thorn in the President's side, an enemy who must be dealt with summarily by John Adams himself. A presidential election was approaching, the contest might be close—nay, might reach the House of Representatives for ultimate decision; who could know that this aggressive Democrat might not have the vote of a State at his command, who give assurance that he might not be able to write across the House of Adams—Ichabod, thy glory has departed? Out of the fear of such grave possible contingencies were ushered into life those misbegotten twins the Alien and Sedition Laws. Lyon was an Irishman, Lyon was a bold, outspoken opponent of the Federal party and all its measures. He must be gotten rid of in one or the other of the two nets. If he escaped the perils of Scylla for aliens, the sedition drag-net must surely wreck him on Charybdis. Mr. Jefferson inclined to the opinion that those odious measures were framed primarily to catch Albert Gallatin and Mr. Volney, but Lyon was the first man arrested, and I am persuaded that he was the principal person aimed at by President Adams. Colonel Lyon

remarked to General Stevens Thompson Mason, Senator from Virginia, who was sitting at his side during the vote in the House on the passage of the Sedition act, that he was convinced the measure was intended to catch members of Congress, and most probably would be brought to bear upon himself first victim of all.<sup>a</sup> And it happened precisely as he then predicted.

Once having made up his mind upon any subject, John Adams was not to be deterred from his purpose, if it was possible to carry it out. Advice was rejected, and advisers were apt to be snubbed for their pains. Bills against the citizen, bills against aliens, some of them, like Kosciuscko, Volney, Dr. Cooper and Matthew Lyon, among the most patriotic adopted Americans, and bills defining and affixing penalties of sedition in terms which made even Englishmen, whom it was meant to help, start at the wrench they gave to civil liberty, were forced through Congress with whip and spur by the blind partisans of an infuriated President, such as Dana, Griswold, Sewall, Harper, Bayard, Dayton, and their fellow madmen in the Senate. These congeners of despotism forgot the prophecy: "They have sown the wind, and they shall reap the whirlwind." Even the London newspapers expressed astonishment at John Adams's rule or ruin excesses. "I enclose you a column," writes Thomas Jefferson to John Taylor of Caroline, "cut out of a London paper, to show you that the English, though charmed with our making their enemies our enemies," (the French), "yet blush and weep over our sedition

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<sup>a</sup> Letter of Colonel Lyon to General Mason, from Vergennes Jail, October 14, 1798.

law."<sup>a</sup> One of the curious features of those monarchial days was the absurd custom of sending forward plethoric, Oriental addresses to the President from various cities and towns throughout the country, fumes of flattery importing nothing but servile adulation, and couched in language which would make a king blush for his sycophants.

"The answers of Mr. Adams to his addresses," exclaims the thoughtful Madison, "form the most grotesque scene in the tragi-comedy acting by the Government. They present not only the grossest contradictions to the maxims, measures and language of his predecessor, and the real principles and interests of his constituents, but to himself. He is verifying completely the last feature in the character drawn of him by Dr. Franklin, however his title may stand to the two first, 'Always an honest man, often a wise one, but sometimes wholly out of his senses.'"

Can it be possible that President Adams regarded all this speechifying and addressing him as anything more than mere echoes of rhetoric? Perhaps he took it seriously. He told General Washington that it afforded him great comfort, and was "very precious" to him.<sup>b</sup> Echoes of praise to one's face are a poor substitute for the addresses of orators. But after all, are not nine-tenths or more of congressional speeches, pulpit oratory and platform lectures, leaving out of view the turgid utterances of flatterers and courtiers entirely, the mere counterfeits of true eloquence? Are they not the echoes of real things—not real things themselves,—vanishing voices full of emptiness, or "of sound and fury signifying nothing?"

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<sup>a</sup> "Jefferson's Works," IV, 260.

<sup>b</sup> "Works of John Adams," VIII, 573.

But real speeches, no one except an orator makes them, no one save a great orator clothes them with life, and no one but a good man can be a great orator. Quintilian says it, and Quintilian is right, *nullus orator nisi vir bonus*. I am truly glad that those vagabond addresses to our Presidents, "approbatory," as Mr. Adams styles them, and the congressional street pageants, against which Matthew Lyon lifted up his solitary voice in the heyday of the old Federal party, as well as the monarchy-breeding birthdays, have passed into limbo, with much other rubbish that then encumbered the earth.

It is doubtful whether even so faction-ridden, narrow-minded a body as the Fifth Congress could have been brought up to the starting point in the race to muzzle the press and annihilate the liberty of the person, if Alexander Hamilton had not combined with John Adams to subvert the Constitution by the passage of the alien and sedition laws. Hamilton was too clear headed a man not to perceive the dangers ahead; but he had ulterior designs of his own to accomplish, and in spite of his known dislike of Adams, he now joined hands with that furious gentleman in the dance of death. Centralization of Government on an English model was his dream, and the alien and sedition acts as means to an end, coarse and brutal means which shocked Hamilton's keener sense of choice of weapons, the scimeter, not the battle-axe being his preference, reconciled antipathies and forced the game. The headlong John Adams sometimes startled the shrewd Alexander Hamilton, but on went the dance, until locked arms the merry pair disappeared over the yawning precipice. "I have this moment seen a bill brought into the Senate," said Hamilton in a letter



to Wolcott, June 29, 1798, "Entitled 'A bill to define more particularly the crime of Treason, etc.' There are provisions in this bill which, according to a cursory view, appear to me highly exceptionable, and such as, more than anything else, may endanger civil war."<sup>a</sup>

Hamilton knew the full meaning of that profound observation of Madison, the father of the Constitution, "Perhaps it is a universal truth that the loss of liberty at home is to be charged to provisions against danger, real or pretended, from abroad." How true it was then when there was an astute Hamilton to work up his countrymen over "danger, real or pretended, from abroad;" and alas, how true it is at this very day when our would-be Hamiltons are endeavoring to kindle a like flame which imperceptibly may spread into a destructive conflagration. A war with France was the royal road to the realization of the Hamilton dream. Our war to-day in Asia sheds a lurid light on the long cherished Monroe doctrine, and the farewell address of Washington becomes in such a presence a solecism and solemn mockery of words. How subtly Hamilton played his hand the memoirs of the various worthies of that day clearly reveal. Monroe was recalled from France, and grossly traduced by Adams and Pickering. New ministers or special envoys were despatched to Talleyrand and the mad Directory. Pinckney, a Hamilton man, Marshall, a Hamilton man, and Gerry, an Adams man, vice Dana another Hamilton man, declined, were the trio of envoys sent out to France to pick a quarrel, rather than compose strife and restore harmony between the two countries. Hamilton strenuously sought to prevent the selection of Elbridge Gerry, the only

<sup>a</sup> "Works of Hamilton," VI, 307.

man of the three not under his influence, and was infinitely disgusted at the obstinacy of John Adams, never more fortunately for the welfare of the country brought into play, in insisting upon Gerry's appointment, and drawing from the flush hand of his adversary one of his three best trumps. While Pinckney and Marshall were strong anti-Gallicans, Gerry felt lingering regard for our ally and mainstay in the war of Independence.

The French government temporized with the envoys, and delayed their recognition. During this period of suspense, Messieurs X, Y and Z, (Hottinguer, Bellamy and Hauteval,) three enterprising swindlers whom Pinckney and Marshall credited to Talleyrand, but whom Talleyrand indignantly repudiated, and demanded the names of the culprits as soon as he heard of their operations, clandestinely opened secret negotiations with our envoys. This was a windfall to Hamilton. No sooner were the envoys' despatches received, containing particulars of the confidence game, before his hectoring partisan in the State Department, Timothy Pickering, set foolish John Adams into a towering rage, and laid a train of combustibles before Congress, by sending the despatches to both Houses with the most incendiary communication ever received by the law making body from a cabinet officer in the whole history of the United States. Hamilton at the back door had read the X, Y, Z despatches as soon as Adams; indeed it is probable that he was often more the President than the man occupying that office, as his sway over the Cabinet was greater, and through those faithless men he knew everything and directed many things that transpired in Executive circles.

The miserable impostors, W, X, Y and Z, whose farrago

adroitly worked up by Pickering, came within a hair's breadth of precipitating a war between France and the United States, first enjoined inviolable secrecy upon our envoys, next claimed for their pseudo-diplomacy the approval of Talleyrand and sanction of the Directory, as the best channel of approach, and then proceeded to submit, among other things, the following demands, which the envoys told them they had no power to grant:

1st. A loan by the United States to the Directory, as a condition precedent to the suspension of the order to capture American vessels;

2d. A bribe of fifty thousand pounds sterling for the French Ministry and four of their corps.<sup>a</sup>

Pinckney and Marshall soon left Paris in disgust, and the Anglo-American party were encouraged by this step which the two envoys said they were almost compelled by the French to take, to expect war as the outcome of such a breach of hospitality. Hamilton was furious with Gerry for staying behind, and his faction opened the flood-gates of abuse upon that virtuous man, as they had done before upon the upright James Monroe. Had Gerry come back with the other envoys, war indeed would have followed. But the French government was not blind to the schemes of the English party, and Talleyrand was quite a match at intrigue for Hamilton. Meantime Hamilton was in the ascendant at home. The publication of the X, Y, Z despatches, and Pickering's firebrand, roused patriotic Americans of both parties throughout the whole Union to a pitch of warlike feeling against France, such as long years afterwards swept over the North against the South, when

<sup>a</sup> "Life and Works of John Adams," VIII, 568.

General Beauregard, upon the approach of the fleet secretly despatched from New York by Mr. Seward, opened fire upon Fort Sumter. A provisional army was voted by Congress, and General Washington was appointed by the President, Commander-in-Chief. In the interchange of views between Mr. Adams and General Washington entire harmony prevailed, until, as Adams stoutly maintained, and later publications of their writings would appear to make probable, Hamilton's ambition to become the practical head of the army as First Major-General under Washington, and more especially as Inspector-General of the whole of the forces of the United States, was brought to bear in a secret manner upon General Washington, and made that venerable man a partisan of Hamilton. Then Adams began to get restive. He himself had out-Heroded Herod in vociferation for war, and for the passage of the alien and sedition laws, and alarmed thoughtful men by what Colonel Lyon truthfully described as his "continual grasp for power," and "unbounded thirst for ridiculous pomp." But Hamilton as dictator sorely chafed the President.

Talleyrand, through one of his agents, Pichon, opened communications with William Vans Murray, American Minister to the Hague, and Elbridge Gerry informed President Adams that Talleyrand on behalf of the Directory had assured him of their unqualified willingness to receive any ambassador sent by the United States to France, with a view to a lasting peace between the two nations. The X, Y, Z imposture, which had thrown the United States into a war fever, in the light of these overtures, began to lose its potency. General Washington, although a true friend of Hamilton, put private friendship behind him whenever it interfered with patriotic duty. Joel

Barlow wrote Washington a frank and manly letter from Paris, telling him in the most positive manner that France wanted peace with this country. Although he had never received a letter from Barlow before, and was inclined to regard him in an unfriendly light, and although some friction had been created between John Adams and himself in relation to Hamilton, Washington immediately sent Barlow's letter to the President, urged its most dispassionate consideration, and offered to reply to it in any terms which President Adams might dictate. I can recall few actions in Washington's whole life, in view of all the circumstances, which reveal the reserved strength and majesty of his patriotism more strikingly than his conduct at this trying moment. The Hamilton faction had once swayed him in the Edmund Randolph affair from that inflexible impartiality which was habitual to him; in the present crisis with France he had arrayed himself on the side of Hamilton and against the President, but when the cause of his country was put in the balance, all else became insignificant, and Washington sheathed his sword, and advised Adams to make one more stand for peace with France.

Hamilton often played too fine a game of petty politics for a statesman of his calibre. A few weeks before the expiration of the political year in New York, he wrote to John Jay, Governor of that State, May 7, 1800, urging him to override the popular will, as expressed at the ballot box, by a stretch of arbitrary power which would disgrace a ward politician. The people of New York had just elected a new Democratic Legislature for the express purpose of choosing through that agency presidential electors. Having submitted the choice to the people and lost, Hamilton wanted Jay to reconvene the

rejected Federalist Legislature to perform the duty of appointing presidential electors which the people had taken away from them, and given to others at the polls. But in the opinion of Hamilton the defeat of Jefferson as President of the United States would be more important than the laws of decency or the voice of the people at the ballot box, and he advised the Governor to take this despotic, or as he was pleased to call it, "legal and constitutional step, to prevent an atheist in religion, and a fanatic in politics, from getting possession of the helm of state."<sup>a</sup> Governor Jay, as Hamilton knew, was a very religious man, and a thorough Federalist in politics, but unfortunately for the present purpose, he was also a high toned, honorable man. The adroit appeal to him was fruitless. "Atheist" and "fanatic" are words nowhere to be found in the Constitution or the laws, and in no sense could they be applied with justice to Mr. Jefferson. Von Holst and Bryce, and other foreign bookmakers, Henry Cabot Lodge and Theodore Roosevelt, and others of our own political pamphleteers, have held up Alexander Hamilton to admiration as the exemplar of most of the civic virtues, and easily first of American statesmen; but the future historian will revise the words of these eulogists, and draw the character of Hamilton in colors more sober and subdued. What a contrast he presents to Governor Jay in this proposal to stifle the voice of the people. The only notice the Governor deigned to take of Mr. Hamilton's unscrupulous request was the following lofty rebuke endorsed upon his letter: "Proposing a measure for party purposes, which I think it would not become me to adopt."<sup>b</sup>

<sup>a</sup> "Works of Alexander Hamilton," VI, 438.

<sup>b</sup> "Life of John Jay," by his Son William Jay, I, 414.

President Adams, after pouring forth one tirade after another against France, and after having gone beyond Hamilton in fastening the alien and sedition laws upon the country, at last regained his senses, and opened his eyes to the fact that Hamilton had been running his great office by aid of his cabinet, while he himself had been playing Ajax defying the lightning, locking up Matthew Lyon in jail, and driving Frenchmen by the ship load back to Europe. After he heard from Gerry, read the denials of Talleyrand, beheld the fine Machiavellian hand of Hamilton coming between him and the appointing power to the army, felt its coercive influence almost to a rupture between himself and the father of his country, the old Braintree hero waked up in earnest, and resolved to be the pack-horse no longer of the cunning men who surrounded him.<sup>a</sup> The climax was reached when Washington intervened to compel the appointment of Hamilton over Knox and Pinckney. "There has been too much intrigue in this business with General Washington and me," exclaimed Mr. Adams; "if I shall ultimately be the dupe of it, I am much mistaken in myself."<sup>b</sup>

In a short time the explosion came. Without consulting a single member of his cabinet, for he now distrusted them, without a word of warning to any Federalist, the President nominated William Vans Murray, Minister Plenipotentiary to

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<sup>a</sup> In a letter to James Lloyd, February 17, 1815, John Adams, referring to Hamilton, wrote thus: "Washington had compelled me to promote \* \* \* the most restless, impatient, artful, indefatigable, and unprincipled intriguer in the United States, if not in the world, to be second in command under himself." "Life and Works of John Adams," X, 124.

<sup>b</sup> *Ibid*, VIII, 588.

France, and by a single stroke of his pen scattered into the region kites the warlike schemes of Hamilton, the would-be Oliver Cromwell, and of all the anti-Gallicans and Anglo-Americans in the country. The nomination fell like a thunderbolt upon the Senate. The Federalists induced the President to add Patrick Henry and Oliver Ellsworth as joint envoys with Murray. But Hamilton was down and out. Wonderful man that he was, surpassed by no one of his day as a statesman but by Jefferson, and equalled by no one since as a political economist but by Calhoun, Alexander Hamilton was yet an intriguing politician whose limitations were greatly increased by inordinate ambition, and a despotic, and sometimes an unscrupulous temper. Strange was the drift of events by which he became the only Federalist in the United States who advocated the choice of Jefferson as President, and that too in the self-same year in which he had opposed his election on the ground that he was "an atheist in religion and a fanatic in politics." But it was the New York politician, bent on a party triumph at any cost over his hated rival Aaron Burr, who wrote that disreputable letter. He threw off the habits of a trickster, and rose to the stature of a patriot a few months later, when he advised the Federalist marplots in Congress to save their party from annihilation, and themselves from disgrace, by voting for Jefferson and against the Cataline Burr for President. Not one of them had the sense to take Hamilton's advice, although a Massachusetts Senator, Mr. Lodge, a few years ago, ignoring the facts of history, made a futile attempt to attribute Jefferson's election to the vote of James A. Bayard, of Delaware, in blissful ignorance of the fact that Bayard did not vote for Jefferson at all, but in the thirty-six ballots of



the House voted thirty-five times for Burr, and when the final ballot was taken he put in a blank vote.<sup>a</sup> Not the least credit for the defeat of Burr is due to a single Federalist in Congress, except Lewis R. Morris who was absent when the last ballot was taken; not the remotest to any Federalist in the United States, with the solitary exception of Alexander Hamilton. He deserves much honor for that great service, but the chief credit belongs to Matthew Lyon, as F. S. Drake<sup>b</sup> and Charles Lanman<sup>c</sup> have said truthfully, and as the ungarbled facts of history abundantly establish.

When the alien and sedition bills were under discussion in the House, the Federalists adopted their usual haughty tactics, and with insolent demeanor answered the constitutional arguments of the Democrats against the measures by coughs, laughter and personalities. On one occasion when the minority tried to amend an obnoxious feature of one of the bills, Harper, Bayard and Speaker Dayton, under the plea of urgency, compelled the Democrats to give way by lung power and brow beating, and demanded a *viva voce* vote. Lyon took the floor in the face of a storm of invective from the majority side, and demanded that every man be put on record, that it might be known to all the world who were the friends and who the enemies of the Constitution. As defeat was certain, Gallatin, Macon and other Democrats asked Lyon to withdraw his demand for the ayes and nays, but unawed by the clamor of the Federalists, and unmoved by the request of his less unyielding Democratic friends, Lyon was inflexible,

<sup>a</sup> Letter of James A. Bayard in "Niles's Register," November 16, 1822.

<sup>b</sup> "Dictionary of American Biography," p. 571.

<sup>c</sup> "Dictionary of Congress," p. 368.

stood out against all short cuts to despotism, and like John Hampden, when Charles the First sent to collect the ship money tax, refused to pay tribute to arrogant power, Hampden by a single farthing, Lyon by a single concession. He renewed his demand for the ayes and nays, but on a call of the House the Speaker ruled that one-fifth of the members not having risen, the motion was lost. Inch by inch he fought the Federalists, and I cannot help thinking that Lyon, rather than Gallatin, in this great constitutional battle, was the real leader of the minority. The meagre reports of the debates at that day give no satisfactory insight to the true situation in the House. There were but two or three reporters of the proceedings, and all save one of them for a time were dropped by the Federalists. In the days of the venerable Charles Thompson, the old "perpetual secretary" of the Continental Congress, the proceedings were better reported, and in our own day, the shorthand art and enlarged facilities have still more fully increased the accuracy of the Congressional reports; but in the days of the alien and sedition acts I have been aided in only the smallest way by the *Annals of Congress*. The newspapers, the letters of members of the House and Senate to their constituents, against which John Adams complained so bitterly, but which were the main channels of the friends of liberty at that day to reach the people, and the memoirs and works of the statesmen of the period since published, all these, rather than the *Annals of Congress*, have furnished the true relation and voice of history, by which I have been enabled to write this part of Lyon's biography.

The feeling of exasperation which Lyon provoked against himself in the minds of John Adams and his cabinet, and in

those of the leaders of the Senate and House, is a fair indication of his prominent part in the struggle. When they could not bring him to terms in debate, the Federalists would demand the previous question, and some of Lyon's most persistent strokes were made in protests against that gag law of debate. He attacked the tyranny of the previous question with a vigor equal to, but in terms not so learned and profound as those employed on the same floor a few years afterwards by William Gaston, one of the most eloquent men who has ever figured in the Congress of the United States. We have a full report of the great speech of Gaston against the tyranny and usurpation of the previous question, January 19, 1816. Here is a short passage from it which shows that he, like Lyon, was in earnest in championing the cause of freedom of debate: "The House," said Judge Gaston, "may not allow debate on a motion for adjournment, or a question whether language be indecorous, but if it forbid the duly constituted agent from performing his regular and proper functions, it is then usurpation, not right; it is abuse of power, not regulation. The privilege of the Representative to declare the will, to explain the views, to make known the grievances and to advance the interests of his constituents, was so precious, in the estimation of the authors of our Constitution, that they have secured to him an irresponsibility elsewhere, for whatever may be uttered by him in this House; 'for any speech or debate in either House, they (the Senators and Representatives) shall not be questioned in any other place.' The liberty of speech is fenced round with a bulwark, which renders it secure from external injury—here is its citadel—its impregnable fortress. Yet here, even here, it is to be strangled by the bowstring of

the previous question. In vain may its enemies assail it from without; but within, the mutes of despotism can murder it with impunity."<sup>a</sup>

In spite of all opposition, of the calm closet reasoning of Gallatin, the fiery eloquence of Giles, the sturdy fidelity of Macon, the unanswerable arguments of Livingston, the Hampden-like resistance of Lyon, the alien and sedition bills were carried through Congress by the imperious majority, and became the law of the land. John Adams was armed with two weapons which Mr. Jefferson solemnly declared meant monarchy, with a reigning dynasty of the Adams or Hamilton family on the throne, or the restoration of George the Third, as King. Thus wrote Jefferson to Stevens Thompson Mason:

" Monticello, October 11, 1798.

" Dear Sir.—The X, Y, Z fever has considerably abated through the country, as I am informed, and the alien and sedition laws are working hard. I fancy that some of the State Legislatures will take strong ground on this occasion. For my own part, I consider those laws as merely an experiment on the American mind, to see how far it will bear an avowed violation of the Constitution. If this goes down, we shall immediately see attempted another act of Congress, declaring that the President shall continue in office during life, reserving to another occasion the transfer of the succession to his heirs, and the establishment of the Senate for life. At least, this may be the aim of the Oliverians, while Monk and the Cavaliers (who are perhaps the strongest) may be playing their game for the restoration of his most gracious Majesty George the Third.

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<sup>a</sup> Speech of Judge Gaston of North Carolina, on the Rules and Orders of the House, " Annals 14th Congress," p. 702.

That these things are in contemplation, I have no doubt; nor can I be confident of their failure, after the dupery of which our countrymen have shown themselves susceptible. Adieu.

"Yours affectionately,

"THOMAS JEFFERSON."

In an examination of the voluminous writings of John Adams, I find passages of great bitterness against Matthew Lyon. Even after his retirement to private life, Adams indulged in occasional outbursts against foreigners, never omitting Lyon from the objurgations. Here is an extract from a letter of Mr. Adams to Christopher Gadsden of South Carolina: "Quincy, 16 April, 1801. Is there no pride in American bosoms? Can their hearts endure that Callender, Duane, Cooper and Lyon, should be the most influential men in the country, all foreigners, and all degraded characters? . . . Foreigners must be received with caution, or they will destroy all confidence in government."<sup>b</sup>

To Benjamin Stoddert Mr. Adams wrote still more fiercely, a few weeks after he left Washington: "Quincy, 31 March, 1801. If we had been blessed with common sense, we should not have been overthrown by Philip Freneau, Duane, Callender, Cooper and Lyon, or their great patron and protector. A group of foreign liars encouraged by a few ambitious native gentlemen, have discomfited the education, the talents, the virtues, and the property of the country. The reason is we have no Americans in America."<sup>c</sup>

Fifteen years later he still harps on the same string. "To

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<sup>a</sup> "Jefferson's Works," IV, 258.

<sup>b</sup> "Life and Works of John Adams," IX, 584.

<sup>c</sup> *Ibid.*, IX, 584.

James Lloyd. Quincy, 6 February, 1815. Mr. Randolph in his letter to you says: 'The artillery of the press has long been the instrument of our subjugation.' . . . And which were the presses that formed the fortresses? And who were the engineers that directed this artillery? Mr. Randolph's own dear Cooper, Matthew Lyon, etc." <sup>a</sup>

With Argus eyes the Federalists, after the passage of the alien and sedition laws, were watching every movement and utterance of Lyon, and John Adams yearned for an opportunity to put him in a dungeon. Lyon, aware of their purposes, became more circumspect, and took care to utter nothing which would make him liable to arrest. He instinctively felt that he was the man they were after, and determined to disappoint Mr. Adams and his myrmidons. But his prudence was unavailing; his hopes of fair treatment were all illusory. When John Hampden refused to pay the few shillings assessed against him as ship money, and went to law with the king to test its constitutionality, Charles the First won a barren victory in the Exchequer Chamber, by a vote of seven to five of the judges, the smallest vote possible by which a victory could be won. But by that victory Charles lost his throne and his head. Five of the judges sustained Hampden and voted against the writ. "Till this time," says Lord Clarendon in his celebrated historic picture of Hampden, "he was rather of reputation in his own county, than of public discourse or fame in the kingdom; but then he grew the argument of all tongues, every man inquiring who and what he was, that durst at his own charge support the liberty and prosperity of the kingdom. The judgment proved of more advantage and credit to the gentleman

<sup>a</sup> *Ibid*, X, 116.

condemned than to the king's service."<sup>a</sup> In the long Parliament during a fierce debate, shortly before the king entered the Parliament House to demand the surrender of the five refractory members with Hampden at their head, "we had sheathed our swords in each other's bowels," says an eyewitness, "had not the sagacity and great calmness of Mr. Hampden, by a short speech, prevented it."<sup>b</sup> Hampden was put into a cell, but the English people set him free, and swept away the tyrant who imprisoned him. Over forty years after Matthew Lyon was imprisoned in Vergennes jail by John Adams, and fined a thousand dollars under the odious sedition law, the likeness between Lyon and Hampden as martyrs of liberty was depicted by Waddy Thompson, of South Carolina, in an eloquent speech in the House of Representatives at Washington. It was delivered during a debate on the bill to refund the fine Matthew Lyon had paid, with interest to his heirs, and no doubt had much influence in securing the passage of the bill.

"How stands this matter?" said Mr. Thompson. "Why, a man who ranked among the patriots of his country, who was cast into prison under an odious law, one who deserved a monument, and had it in the heart of every true man, and who stood up, one in ten thousand, against power and corruption, yet this man was entitled to no thanks from those who came after him. Here was a man who, like the illustrious patriot of England, John Hampden, had stood up against power in high places, for which he had suffered ignominy and been thrust into the cell of a felon, and yet in these times objection was made to remunerating his heirs, because the

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<sup>a</sup> Macaulay on Lord Nugent's "Memorials of Hampden."

<sup>b</sup> *Ibid.*

man had been too poor to pay the fine himself. That country must be base, indeed, which would sanction such a plea. That country no longer deserved to be free which would deny justice to a suffering patriot on such grounds. (Mr. Thompson here produced a copy of the order of the President of the United States, to the marshal of Vermont, requiring him to keep Lyon in custody until the fine and costs were paid.) Yes, said Mr. T. to keep him in jail until he rotted, unless the money should be paid. (He also produced a copy of the certificate from the marshal showing that the terms of the sentence had been complied with, and that Matthew Lyon was consequently discharged.) Now, after what he had read, would any gentleman get up and defend the Government against this claim? Here was the testimony of the Hon. Warren R. Davis in his report, than whom a man with a purer heart and a better head never lived, speaking of the money as having been paid, and also the certificate of the marshal to show that the fine had been exacted from this patriot, who dared to stand up for those great rights which Milton praised as above all others man could enjoy, namely, the right to speak, to write, or to publish. But (said Mr. T.) if there was no other way of getting rid of the money, I would burn it, rather than it should remain to pollute the treasury any longer. The country ought to be glad of any excuse of getting rid of money wrung from the pockets of a patriot by such an odious law."<sup>a</sup>

The events which now transpired in the career of Matthew Lyon strikingly confirm the appositeness of the analogy to Hampden so forcibly dwelt upon by Waddy Thompson. During the summer of 1798, after the adjournment of Con-

<sup>a</sup> "Congressional Globe," 26th Congress, 1840, p. 413.



gress, Colonel Lyon returned to his home in Fair Haven, and announced to his friends that he would be a candidate for reelection to the next Congress. As his enemies had grossly misrepresented his views, and held him up to popular reproach as a tool of France and enemy of the United States in the pending controversy between the two countries, he prepared a letter for publication in which he defined his real opinions and attitude upon public questions. This letter he sent to Dr. Williams, editor of the Rutland Herald, who refused on any terms to admit it into his columns. Dr. Williams has written a History of Vermont, but his conduct on this occasion, in refusing a hearing to the other side argues rather unfavorably for the impartiality of his History. Colonel Lyon was not the man to be reduced to silence in this summary way. He forthwith announced a new semi-monthly publication, the first issue of which appeared on the 1st of October, 1798. By the courtesy of the assistant librarian of Yale College, Mr. F. B. Dexter, I have before me, as I write, the original impression of this first issue. On the outside page appears the aggressive name in the words following:

"The public are here presented with No. 1, of Lyon's Republican Magazine, entitled The Scourge of Aristocracy and Repository of Important Political Truths." The title of the magazine is repeated on the first page inside, followed by the words, "By James Lyon." This was the oldest son of the Colonel, and although the son was editor, the father's contributions became the leading feature of the periodical. The Scourge is printed on coarse paper, but the type is good and new. The salutatory begins thus:

"The public utility of such a publication in a free govern-

ment, even in a time of tranquillity, is so universally acknowledged by Republicans, that there needs no argument to prove it." It then proceeds to discuss the value of truth "at this agitated and awful crisis, when everything is industriously circulated, which can corrupt or mislead the public sentiment, and prepare the American mind for a state of abject slavery, and degrading subjection to a set of assuming High Mightinesses in our own country, and a close connection with a corrupt, tottering monarchy in Europe, which has long been intolerable to every man whose breast contains the smallest spark of the *amor patriae*. When every aristocratic hireling, from the English Porcupine, the summit of falsehood, detraction and calumny, in Philadelphia, down to the dirty Hedgehogs and groveling animals of his race, in this and the neighboring States, are vomiting forth columns of lies, malignant abuse and deception, The Scourge will be devoted to politics, and shall commemorate the writings, essays and speeches of the ablest pens and tongues, in the Republican interest. Its great object shall be to oppose truth to falsehood, and to lay before the public such facts as may tend to elucidate the real situation of this country."

One or two short articles which appear in the first number are here reproduced:

"From the Vergennes Gazette: The inhabitants of the northern counties were prevented last week from availing themselves of their Representatives' liberality, by misfortune equally singular and extraordinary. As the driver of the stage was industriously circulating the five hundred papers so *generously* paid for by the patriotic member, at the Jacobin press, the horses disdaining to prostitute their services, set off full speed, and left the precious cargo in the mud; the driver es-

caped 'with limbs unbroken,' but dreading the consequences in future, solemnly swore he would have nothing to do with the papers, consequently they were left in a worse plight (if possible) than when they issued from the press."

Upon the foregoing the Scourge remarks:

"The above is a true specimen of the low, dirty, deceitful manner which the supporters of the present administration take to deceive the people. . . . The insinuation contained in the paragraph I have here copied, I can assert, and produce the proof, if necessary, is a downright lie, *in toto*—and I think such language is good enough for such villains."

The movements of Bonaparte are thus chronicled:

"The public are undoubtedly anxiously waiting the arrival of something decisive respecting the future destination, and real object of the immortal and unmatched hero, Buonaparte. All that I can announce with certainty, respecting his movements since the sailing of the Toulon fleet, is his capture of Malta, an island in the Mediterranean between Naples and Africa, inconsiderable in territory, containing 150,000 inhabitants, extremely rich, being thought a safe retreat from French intrusion, and of course resorted to by all monied emigrants from France, Rome and the various emancipated aristocracies. Detached from other objects, Malta would seem an inconsiderable conquest for the French to make at this day; but taking into view the object, which from the latest accounts I presume they have, it must be considered the most important acquisition possible in Europe, and will become to them what Gibraltar is to the English. The cutting through of the Isthmus of Suez, in a direct line is, indeed, not possible; but a junction of the Mediterranean Sea with the Arabian Gulph, in a certain sense, is possible. This will ensure to France the sovereignty of

Egypt and the trade of all the eastern world, and Malta will become their stronghold and warehouse."

But the principal attraction of the first number of the Scourge was Colonel Lyon's political letter which Dr. Williams would not publish. The Colonel adopted the ingenious method of Cicero laid down in his *De Oratore*, and presented his views in colloquy. The Federalists were disappointed by this very adroit letter, which did not contain one word even constructively seditious. I here present it.

A letter from Col. Matthew Lyon, Member of Congress from the Western District of Vermont, to his constituents:

"FELLOW CITIZENS: At a time when all tongues which have been accustomed to move for hire, and two presses under the influence of those wretched calumniators are incessantly employed to abuse, vilify and falsely accuse me—when any defence of mine will not be admitted in the Rutland paper—and when the communication between Windsor and this place is so greatly impeded; I am induced to have recourse to the method of a pamphlet publication, which I cannot but believe will be excusable, under the existing circumstances.

"While virulence and villainy is carried to such a height, as even to assert that I dare not, nor cannot defend myself; a conversation which I had a few days since, with an honest neighbor, on these subjects has occurred to me, as the plainest and readiest method to communicate my ideas; I therefore present you with a transcript of it, as near as I recollect.

"Neighbor.—I am glad to see you, Colonel Lyon. The newspapers are so full of one thing or another about you, that I have been for some time past determined, as soon as I saw you, to know what you had to say to these things. I see you

are charged with being opposed to our Government. What have you to say to it?

"Lyon.—It was my fortune to be called to take my seat in Congress, at a time when the French, under pretence of aggression on the part of our Government, were making the most unwarrantable aggressions on the commerce of this country. I found many so exasperated as to be ready to go directly into a war with France; and it appeared to me, that nothing but the dread of a contrary opinion of the people of the United States prevented, at that time, the awful plunge. I had been accustomed to consider war the greatest national evil; I have seen the dreadful sufferings and calamities attendant on one war; I very well knew, although that war was a war of necessity, and had for its object, on our part, our very existence as a nation, as well as the saving of the lives and properties of those who had taken an active part in it, that many were tired out with its troubles and perplexities to that degree, that nothing but the seeming interposition of a kind Providence could have brought it to a favorable issue on our part. I could see no other object, or pretence of object, in the war we were invited into, than merely the defence of our commerce on the ocean. This I considered as impossible to be done to the full satisfaction of the merchants, even at the expense of the whole landed property of the country. Of conquest, reparation, or profitable captures, there could be no hope on our part. Submission to terms which had deprived the shipping of America of the carrying trade of France, had been adopted, and many other sacrifices had been made, rather than involve this country in a war with England. My desire for peace at that time, made me to acquiesce in those measures;

and I could devise no way to avoid a war, but by a sacrifice of the future profits of that commerce which had become exposed to depredations. About one-half of the members of the House of Representatives appeared to be of that opinion. We were sensible of the injury individuals must suffer by such a line of conduct, and were willing to have made them some reparation. With this disposition we adjourned in July, 1797, with more hopes of a speedy conclusion of the war in Europe, than from the proposed negotiation. Although many changes had taken place in Europe, during the recess of Congress, yet the hoped for conclusion of their wars had not arrived, and the first despatches from our envoys informed us of new regulations of the French Government, which would be further injurious to our commerce, as well as of their cold reception, long delay and dull prospects. These things affected the resentment of those who had determined, if possible, to keep our country out of the war as much, perhaps, as of those who gave vent to their rage by exclamations for war; yet we could see no possible advantage to accrue to this country by a war with a nation near 4,000 miles from us. We felt strong in ourselves, and unconquerable in our internal situation; but external and offensive war, we could not consider to be the occupation, the business, or the interest of Americans, who have neither men nor money to spare, nor a taste for conquest. We could not be willing to see our country embark in an endless and useless contest concerning a commerce in which but a small part of the community were interested. We could not but be sensible that the cost of the war must fall on the landed interest, without the most distant prospect of retribution. We foresaw that many millions would be sunk.

"Neighbor.—Have not the French given sufficient provocation to this country, to justify us in going to war with them?

"Lyon.—According to notions that have been entertained in Europe, among nations who have been in habits of war, who make a trade of it, who live so thick that they are quarreling, as it were, for a spot of ground to stand upon, and perpetually conquering and plundering one another, there is no doubt but that the French have given us tenfold provocation for a declaration of war against them; but a country situated like this, secured as it were from them by an immense ocean, with a country in our possession craving a population of at least twenty or thirty fold, should never think of war as a trade, nor wage it with any nation, farther than in case of an invasion of their territory, to rise in mass, and drive out the invaders, returning to their farms and their homes immediately.

"Neighbor.—You seem not to regard the commerce of this country; don't you know that the agricultural interest of this country cannot flourish without commerce?

"Lyon.—I regard the commerce of the country so much, that I wish for markets for all its spare produce, and I am willing it should be so managed, that Americans should be our carriers, if they choose; but I am not so attached to that commerce which, as it were, forces upon this country unnecessary, upon credit, and creates thousands of law suits and bankruptcies, as to consent to involve my country in an everlasting war, for the mere name of defending it without the power. I had much rather leave the carriage of the produce of this country to foreigners; had that been the case, instead of our arming, and the Europeans known it some months ago, produce of this country would have borne a much better price.

It is but very little interesting to the back country people whether our produce is carried away by Americans or by foreigners. We have room and employ for all our people, if not one of them go to sea. The merchants, after they have got their will with respect to a naval armament, and a law to cut off the intercourse with France and its colonies; and after our coast is clear of the privateers that infest it, are afraid to send out their vessels; and after all our marine has cost, and they have taken one small privateer schooner, produce has fallen at least one-third since the last winter. Another consideration with regard to foreign commerce, you must know, neighbor, is, that the people who make their own necessities in back countries are not interested in it equally with those on and about the seashore and navigable rivers, were we able to defend it. Every one who is not in favor of this mad war, is branded with the epithet of Opposers of Government, Disorganizers, Jacobins, &c. I do not understand what people can mean by opposition to Government, applied to the Representatives of the people, in that capacity. We have been accustomed to suppose that Representatives are sent to vote and support by their arguments their own opinions, and that of their constituents, and to act for the interest of their country. It is quite a new kind of jargon to call a Representative of the people an Opposer of the Government, because he does not, as a Legislator, advocate and acquiesce in every proposition that comes from the Executive. I have no particular interest of my own, in crossing the views of the Executive. When a proposition comes from that quarter, which I think, if gained, will be injurious to my constituents and the Constitution, I am bound by oath, as well as by every consideration of duty,



to oppose it; if out-voted it is my duty to acquiesce; I do so; but measures which I opposed from duty, as injurious and ruinous to the liberty and interest of this country, in Congress, you cannot expect me to advocate at home. You never heard of my giving opposition to Government, by being concerned in a mob, or by encouraging any kind of riot or insurrection, except what comes in the lying Tory papers printed in New York and Philadelphia, where they know nothing of my character.

"Neighbor.—I have known you thirty-four years, and have never heard of a thing of the kind, unless your opposition to the unjust claims of Britain and New York, were to be called Opposition to the Government. Your enemies say, you have joined the interest of the French, and wish to see this country subjugated by them. What have you to say to that?

"Lyon.—Slander of this kind, is authorized by the party who advocate the war, from highest to lowest. The name of Mr. Jefferson, the Vice-President of the United States, is sometimes joined in the same line of an abusive British tory newspaper with my own, both called traitors, and for the same reason, our opposition to the war. Mr. Livingston, of New York, Mr. Nicholas, of Virginia, Mr. Gallatin and Mr. Giles, and indeed all the Republican members are used in the same manner, and are noticed in those vile vehicles of slander in proportion to their efforts to save their country from ruin. The country printers are generally in a strife to shew their attachment to what appears to be the ruling party in the Government. They disseminate this kind of abuse against the Republicans, in order to please the officers of Government at Philadelphia, from whom they expect employment

to print the governmental matters, in proportion to their zeal in their cause. The country printers are surrounded by lawyers and idlers, who wish to fish in troubled waters, and hope for offices by means of wars and new taxes. You cannot but observe the old tories and their off-spring have universally joined in the acclamation for war, and the denunciation of every Republican. This accounts for the abuse you see against me and some others, in a certain paper printed somewhere between a thousand and fifteen miles from this, which is conducted by a person of that class, a man of great learning, the same who some years ago took refuge in this State from a prosecution for forgery. As for myself, I never suffered my wishes for the welfare of any other nation to occupy my mind or by any means to interfere with my zeal for the service of this country; as soon as I saw the French were robbing our merchants, and destroying the commerce of this country, I felt all that sympathy for the sufferers, and that indignation towards the plunderers that any honest man would do on seeing a strong man and a stranger, abuse a weak one, and his neighbor and friend. This aversion toward the French has increased, as the French depredations and abuses of this country make a war that would be an evil to them only, or a means to prevent their further depredations, I should not have hesitated one moment in giving my assent to it; but when I could see but little injury that we could do them, and the vast calamity it would cause to this country, I could not concur in any measure which in my opinion led to it."

This very able and conservative letter was to have been continued in the next number of the paper, but before that was issued Colonel Lyon had become a prisoner of State in Vergennes jail.

No sooner had the "Scourge of Aristocracy" made its appearance, before the Black Cockades of President Adams were in motion against Colonel Lyon. There was nothing actionable in the above letter to his constituents, and a letter written by him June 20, 1798, and mailed at Philadelphia long before the enactment of the sedition law, was desperately seized upon as affording the only pretext for his indictment. There is scarcely a doubt that the appearance of the "Scourge of Aristocracy" was one of the impelling causes of his prosecution. Word reached him to get out of the way until the excitement might blow over, but he refused, and stood his ground. When the process server came, he expressed his readiness to go at once, and promised to be in court when wanted. So general was the confidence in his character for integrity that the marshal's deputy made no demur, and Colonel Lyon appeared in court on the following Saturday morning to plead to the indictment. That distinguished law writer, Francis Wharton, in his "State Trials of the United States," says:

"It was in the recess between the two sessions that the trial took place. It was undoubtedly a bold step on the part of the administration, for the alleged libels were written before the passage of the law, though published afterwards. The defendant was an active member of the House of Representatives, where the vote was so equally balanced as to make his withdrawal of national political consequence; and he was then a candidate for re-election. A conviction under these circumstances was calculated to inflame the country; nor was this feeling allayed by the publication throughout the land of a letter from Lyon himself to General Mason, then a Senator from Virginia."<sup>a</sup>

<sup>a</sup> "State Trials of the United States," by Francis Wharton, p. 339.

He was convicted and imprisoned with every appliance of cruelty and despotism at the command of the administration brought into play against him. A wretched turnkey, instead of taking his prisoner, as it was his duty to do, to the District Jail, carried him off forty miles to a loathsome pen at Vergennes, where his victim was immured among the vilest criminals. For a time this miscreant denied Colonel Lyon the use of pen and ink. But the indignation excited among the people compelled Fitch to relax that much of his cruelty, and the prisoner was again permitted under harsh restrictions to communicate with one or two of his friends. Presently Vermont was in a blaze of anger. The Green Mountain Boys, whom Lyon had led in many a hard fought battle against Yorkers in the Hampshire Grants era over a quarter of a century before, were up in arms. The surviving Minute Men who had scaled the hill at Ticonderoga side by side with Matthew Lyon under the lead of Ethan Allen in the first offensive fight of the Revolution, were now ready to shoulder their rusty flintlocks once more. The adherents of Governor Chittenden, veterans who had marched side by side with Lyon when he followed Seth Warner into Canada, fought under Stark at Bennington, and carried his gun among the victors of Saratoga, rallied now as they did in the Revolution to the side of their ancient comrade in arms. Here was one of the last survivors of the Old Guard who had come with the Connecticut pioneers out of the hive of Litchfield county, nursing mother of the mountain republic, with Remember Baker, Thomas Chittenden, Ethan and Ira Allen, Seth Warner and Jonathan Fassett, to found Vermont and carry her through the great wars to peace and independence, cast now into a felon's cell, because he

would not submit to tyranny, nor surrender the right won by precious blood, and written and safeguarded in wax and parchment in the Constitution, the American right of free speech and the freedom of the press.

And the people were resolved to efface the blot on the fair fame of Vermont, tear down the jail, and set free their Representative. Nor was the indignation merely local, nor confined to the State. All over the Union Matthew Lyon was regarded as a political martyr, and as in England, when John Hampden, for asserting the rights of the people, was cast into prison by Charles the First, so now in the United States the persecution of a member of Congress in the same despotic fashion by John Adams for asserting similar rights, was everywhere regarded as a stab to liberty, and the President, like the King, was made to pay the penalty by the loss of his great office. As we had no Oliver Cromwell, the headsman's axe was mercifully spared, and the likeness in that respect, to the honor of America, remained imperfect.

Matthew Lyon's letters began now to come out of Vergennes jail, and his brave spirit was unbroken, his cheerfulness and admonitions to obey all laws, even bad ones, until they should be repealed, were so impressive, and the vigor of his pen was such, that even the administration became alarmed, and efforts to buy him off, or to connive at his escape, in order to shake his hold on the public, were resorted to by leading Federalists. "He held the pen of a ready writer," says the Vermont antiquarian, Rev. Pliny H. White, "clear, racy and idiomatic. If occasion required, he could handle the weapons of invective almost as murderously as Junius. His letters to John Adams, to William Duane, and to Elias Curtis, are worth

reading by all who wish to know the full powers of the English language. His addresses to his constituents, at various times, will also repay perusal. There are frequent sentences in them which have the terseness and pungency of epigrams. He was never lavish in the use of words, but gave his readers an idea in every sentence."<sup>a</sup>

Like Hampden in the long Parliament when he prevented his partisans, as Macaulay relates, from sheathing their swords in the bowels of the royalists, so too did Matthew Lyon prevent the Green Mountain Boys from tearing down the Vergennes jail, and setting him free. He advanced to the window of his cell and addressed the thousands who had assembled in the words of wisdom and forbearance, advised obedience to all laws, no matter whether good or bad, and in a loud voice, which was heard by every one present, urged them to correct abuses at the polls, and not to add to them by lawless violence.

The learned law writer, Francis Wharton, in his "State Trials," dwells with evident admiration upon the prisoner's demeanor at this trying moment. "Lyon's imprisonment," says he, "was enforced with a rigor which excited the great mass of his constituents to such a pitch as to lead to a popular rising, the avowed object of which was to tear down the prison. This, however, he succeeded in suppressing, and in fact his whole demeanor was marked with great prudence and tact. His wife, with her sisters, the daughters of Governor Chittenden, having one day visited him, the usual barrier to their entrance was removed, and she was permitted to enter the cell. At

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<sup>a</sup> "Life and Services of Matthew Lyon," an address before the Vermont Historical Society, in the presence of the General Assembly of Vermont, by Pliny H. White, 1858.

this moment some less prudent friend intimated that now was the period to escape. 'That he shall not do,' said the prisoner's wife, 'if I stand sentinel myself.' The spirit, energy and devotion shown by this eminent lady during her husband's imprisonment, gave fresh vigor to his supporters, and courage to himself. So awkward did his position become to the administration, that the Cabinet panted for an excuse to liberate him. His determination to give up nothing on the one hand, coupled with his constant and watchful exhortations to his supporters to yield the most implicit obedience to the law, made the difficulty peculiarly embarrassing. Had he apologized on the one hand, or stormed on the other; had he either petitioned for a pardon, or connived at a rescue; he could easily have been disposed of. But neither of these would he do. An attempt to induce him to take the former step, backed, it was intimated, by a high promise, failed. An attempt to involve him in the latter, he himself frustrated."<sup>a</sup>

Whatever trepidation and desire to extricate themselves from a bad situation the cabinet, dominated by Hamilton, may have experienced, it is quite certain that President Adams never relented, and felt no qualms of conscience over the sufferings of Matthew Lyon. When a petition on behalf of Colonel Lyon, signed by several thousand Vermonters, was sent to him, he sternly asked whether the prisoner had signed it, and learning that he had not, he treated Mr. Ogden, chairman of the committee, a highly esteemed citizen of Vermont, with great rudeness for bringing him such a paper. "I omitted to mention," says Jefferson in a letter to Madison, January 3, 1799, "that a petition has been presented to the President, signed by

<sup>a</sup> "Wharton's State Trials of the United States," p. 342.

several thousand persons in Vermont, praying a remittment of Lyon's fine. He asked the bearer of the petition if Lyon himself had petitioned, and being answered in the negative, said, 'penitence before pardon.'"<sup>a</sup>

One of the first letters written by Colonel Lyon, after the interdict on his writing anything had been removed, was the celebrated letter to General Stevens Thompson Mason, the distinguished Senator from Virginia. It was published extensively by the Democratic newspapers throughout the Union, and intensified the indignation of the people against the administration. It became a powerful weapon in the hands of the friends of the Republican or Democratic candidates, Jefferson and Burr, at the next Presidential election, and proved a deadly blight to the prospects of the Federalist candidates, Adams and Pinckney. The following is the letter:

"[To General Stevens Thompson Mason.]

"In jail at Vergennes (the only city in Vermont, it contains about sixty houses and seventy families), October 14, 1798.

"DEAR GENERAL,

"I take the liberty to trouble you with the recital of what has happened to me within about ten days past.

"On Thursday, the 5th of this month, I was informed that a grand jury had been collected to attend the federal court at Rutland, about fifteen miles from my place of residence; that they were selected from the towns which were particularly distinguished by their enmity to me; that the jury was

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<sup>a</sup> "Jefferson's Works." IV. 262.



composed of men who had been accustomed to speak ill of me; that they had received a charge to look to the breaches of the sedition law; and that they had some publications of mine under consideration. The same night a friend called, and assured me that a bill was found against me, and urged me to be out of the way of being taken—he declared to me, that it was the wish of many of my friends. He informed me that the petit jury were taken from the same towns where the grand jury were; and that from every examination there were not more than two out of the fourteen which were summoned, who had not opposed me in the late election. He mentioned several zealous partisans for Presidential infallibility among them, and one who had been lately writing the most virulent things against me, in his own name, which were published in a newspaper. My answer to all this was, it could not be honourable to run away—I felt conscious that I had done no wrong, and my enemies should never have it to say that I ran from them. An officer of the court had been in my neighborhood the same evening to summon witnesses. I had told him, if the court wanted me, he need bring no posse, he might come alone, I would go with him, there should be no resistance. Accordingly on Friday evening, the same officer, a deputy marshal, came with a warrant for my apprehension, which he gave me to read, and accepted of my word and honour as bail to meet him at Rutland court-house the next morning about nine o'clock. I was there accordingly; and soon after the court was opened I was called to the bar to hear the indictment read. It consisted of three counts; the first for having maliciously, &c., with intent, &c., written, at Philadelphia, a letter dated the 20th of June, and published the same at Windsor, in the news-

paper called the *Vermont Journal*, containing the words following:

“‘As to the Executive, when I shall see the efforts of that power bent on the promotion of the comfort, the happiness, and accommodation of the people, that Executive shall have my zealous and uniform support; but whenever I shall, on the part of the Executive, see every consideration of the public welfare swallowed up in a continual grasp for power, in an unbounded thirst for ridiculous pomp, foolish adulation, and selfish avarice; when I shall behold men of real merit daily turned out of office, for no other cause but independency of sentiment; when I shall see men of firmness, merit, years, abilities, and experience, discarded in their applications for office, for fear they possess that independence, and men of meanness preferred for the ease with which they take up and advocate opinions, the consequence of which they know but little of—when I shall see the sacred name of religion employed as a state engine to make mankind hate and persecute one another, I shall not be their humble advocate.’

“The second count consisted of having maliciously, &c., and with intent, &c., published a letter, said to be a letter from a diplomatic character in France, containing two paragraphs, in the words following:

“‘The misunderstanding between the two governments (France and the United States) has become extremely alarming; confidence is completely destroyed, mistrusts, jealousy, and a disposition to a wrong attribution of motives, are so apparent, as to require the utmost caution in every word and action that are to come from your Executive. I mean, if your object is to avoid hostilities. Had this truth been understood

recall of Monroe, before the coming and  
they; had it guided the pens that wrote  
of your President, and stupid answer of  
the opening of Congress in November last,  
probably had no occasion to address you this

but when we found him borrowing the language of Edmund Burke, and telling the world that although he should succeed in treating with the French, there was no dependence to be placed on any of their engagements, that their religion and morality were at an end, that they would turn pirates and plunderers, and it would be necessary to be perpetually armed against them, though you were at peace; we wondered that the answer of both Houses had not been an order to send him to a mad house. Instead of this the Senate have echoed the speech with more servility than ever George III experienced from either House of Parliament.'

"The third count was for aiding and abetting, &c. in publishing the same. I was called upon to know if I was ready to plead to the indictment. I answered, that I was always ready to say I was not guilty of the charges in the indictment, but that I was not provided with counsel, there being no person at Rutland I was willing to trust with my cause; I had sent to Bennington for two gentlemen on whom I could rely, Messrs. Fay and Robinson, who would be here by Monday. It was then signified to me, that I might have the trial postponed until the session of the court in May next. This I could not wish for, as that session was to be at Windsor, over the mountain, where they were sure of having a unanimous jury, such as they wanted.

"In the fourteen jurymen before me I thought I saw one or two persons who knew me, and would never consent to say that I was guilty of an intention of stirring up sedition; I was unwilling to remain under a censure of the kind; for these reasons I chose to come to trial; I accordingly gave bonds for my appearance the next Monday. Saturday and Sunday were violent stormy days, and at the opening of the court on Monday I had heard nothing of my counsel, nor my messenger; I so informed the court, and told them I thought we should hear from them in an hour, for which time the court adjourned. Within that time my messenger returned, with news that Mr. Fay's wife was very sick, and Mr. Robinson, who is a member of the Legislature, was preparing to attend, and could not be at Rutland so soon as that time. Mr. Smith, who is our Chief Justice, was present, although he and I had been formerly competitors for the representation of this district in Congress; he is a republican, and many of my friends are now his friends; they applied to him to assist me, and I understood he had consented. Thus circumstanced, I proceeded to trial. So ignorant was I of law proceedings, that I expected to object off the inveterate part of the jury, without giving particular reasons, or supporting them by evidence; I was, therefore, unprepared. The Attorney for the United States was called on to say if he had any objections to the jury. He said he had to a Mr. Board; he believed he had given an opinion in the cause; to prove which, he called upon a deputy sheriff, who swore he had some conversation on the Saturday before with Mr. Board, in which he understood Mr. Board to speak as if he thought that Mr. Lyon would not be condemned, or some such thing; Judge Paterson inquired

if there was not enough for the panel without him, Mr. Board. He was answered, there were thirteen more. Mr. Board was ordered off. Thus was the only man sworn away that knew me enough to judge of my intentions. No one doubts that the deputy sheriff began a discourse with Mr. Board on purpose to have something to swear. Mr. Board said, he expected that was the case when he came to him, and he carefully avoided conversing with him. I objected to two of the jury on account of their violent opposition to me; and although unprepared with regard to truth, I called on some persons present to see if they could recollect any virulence made use of by those two; and I sent for the newspaper to prove the abuse of the one who had published; the Judge observed, that a difference in political opinion could be reason against a jurymen, and as there were twelve beside, he ordered the person who had been libelling me, off. Here I pleaded to the jurisdiction of the court, on account of the unconstitutionality of the law. My plea was overruled, but I was told I might make use of the arguments in any other stage of the trial.

“The attorney, on the part of the United States on the first count, produced my original letter, on which was the Philadelphia postmark, July 7. He attempted to bring some evidence to show that the letter did not arrive at Windsor until after the 14th of July; the printer’s boy thought it did not arrive until the 20th, and Mr. Buck saw the setting from it about the 23rd, or later; I acknowledged the letter. As to the second count several evidences were brought to swear they heard me read the letter, said to be the letter from a diplomatic character in France, from a manuscript copy, supposed to be in my own handwriting; they were inquired of whether the

reading of the letter caused any tumult. One of the evidences, a young lawyer, and another person an associate of his, said that they thought it did at Middletown. One of them said he heard a person say, there must be a revolution, and they both agreed that there was a noise—and some tumult after the reading of that letter and some other papers. On my inquiring of them the cause of the tumult, and their opinion, if there would have been any tumult there, if they had not followed me on purpose to make a disturbance? they acknowledged, they thought if they had not been there, there would have been no disturbance; and they also agreed, that the tumult was caused by the other people's disliking their being there, and their conduct then; they agreed also that I refused to give an opinion upon the letter.

“ In proof of the third count, the Attorney produced evidence to show that the printed pamphlet, entitled a Copy of a letter from a Diplomatic character in France, was taken from a manuscript in my hand, and the printer said he received the copy from my wife. The evidence all agreed that I had ever been opposed to the printing of the letter, and gave for reason, that I had promised the gentleman to whom the original had been written, that I would not suffer it to be printed.

The young lawyer said that I told him, there were not above one or two passages in the letter which could be called seditious.

“ The attorney proceeded to sum up the evidence, and dwelt on everything which he thought proper to point out the appearance of evil intentions. As soon as he had seated himself, or before Judge Paterson rose and was proceeding to give his charge to the jury, I interrupted him with an inquiry

into the cause why I should not be heard; he politely sat down and directed me to proceed. My defence consisted of an appeal to the jury, on the unconstitutionality of the law, the innocence of the passage in my letter, and the innocence of the manner in which I read the letter. It was said I spoke two hours and upwards. Mr. Smith declined speaking, as he was unprepared. The attorney replied as decently as any man of his profession and principles would. The charge from the judge was studiedly and pointedly severe. After telling the jury, if they leaned any way, it ought to be in favour of the defendant, he proceeded to dwell on the intention and wickedness of it, in the most elaborate manner; he descended to insinuate that the Barlow letter, as it was called, was a forgery; he said, let men of letters read that letter and compare it with Barlow's writings, and they would pronounce it none of his. He told the jury that my defence was merely an appeal to their feelings, calculated to excite their pity; but mercy, he said, did not belong to them, that was lodged in another place; they were to follow the law, which he explained in his own way, and supported the constitutionality of it. The jury retired about eight o'clock in the evening, and in about an hour they returned with a verdict, *Guilty!* The Judge observed to me, that I had then an opportunity to show cause why judgment should not be pronounced against me, and to show what was my ability or inability to pay a fine, as a man of large property, in such a case, ought to be obliged to pay a greater fine than one of smaller property. I replied, I did not expect anything that I should say would have any influence on the court, in the present stage of the business. The judge said I might think of it until morning, and the court adjourned

until nine o'clock next morning; I then attended, and after being called upon, I observed to the court in reply to what had been said to me upon the score of property, that a few days ago I owned a property, which I estimated, some years since, at twenty thousand dollars; in the present state of the affairs of our country, I did not expect it would fetch half that sum. I had lately made over all the productive part of it, to secure some persons who were bound to me for debts, to the amount of sixteen or seventeen hundred dollars; there still remained enough to be worth much more than the court were empowered to fix the fine at; but in the present scarcity of cash, and the prospect of lands soon to be sold very cheap, I did not know that I could possibly raise two hundred dollars in cash upon it.

"The judge, after an exordium on the nature of the offence, the malignity of it in me, particularly being a member of Congress, and the lenity of the Sedition Bill, which did not allow the judges to carry the punishment so far as common law did, pronounced sentence that I be imprisoned four calendar months, pay a fine of one thousand dollars, and stand committed until the judgment should be complied with. This sentence was unexpected to all my friends as well as myself; no one expected imprisonment.

"The marshal is a man who acted as clerk to some persons whom I had occasion to transact some business with about a dozen years since, when he first came into this country, in which he behaved so that I have ever since most heartily despised him; this he has no doubt seen and felt. The moment sentence was pronounced, he called me to him and ordered me to sit down on a certain seat in the court house; he called



two persons to give me in charge to, one of them the person who followed me to Middletown to insult me, and was on the trial improved as an evidence. I asked if they would go with me to my lodgings a few minutes, so that I might take care of my papers? I was answered in a surly manner, No; and commanded to sit down. I stood up. After the court adjourned, I inquired what was to be done with me until my commitment. I expected I should be confined in the prison in Rutland, the county where I lived; I was told that the marshal was authorized to imprison me in what jail in the State he pleased, and that I must go to Vergennes, about forty-four miles north of Rutland, and about the same distance from my seat at Fair Haven. I inquired what were the accommodations there? and was answered in a manner peculiar to the marshal himself, that they were very good. I told the marshal, since it had become my duty to go there, he needed no assistance, I would go with him. He said he would not trust to that, and prepared two troopers, with their pistols to guard me. He ordered me to ride just before them; in this manner I left Rutland. After riding a few miles he overtook us and rode by us; he rode pretty fast and whispered to one of the young men; I learned his intention was, to get to Middlebury, the shire town of Addison county, in order to throw me into a dirty dungeon-like room for that night. I did not mend my pace; he came back and scolded; insulted and threatened; he repeated it. His friends, I was told, expostulated with him, and the humane young men, who were employed as guards, told him they would rather watch me all night than that I should be thrown into the jail; we lived at a tavern about four miles short of Middlebury jail; the young men watched: the

next day we arrived at this place; there are two roads to come into it, one comes up straight to the jail-house, by but two or three houses; the other is circuitous, taking almost the whole length of the little city in its course. I was foremost and inclined to take the nearest road, but the *gentleman*, by that route, would lose a share of his triumph; he ordered us in a peremptory tone into the circuitous road through the city. On the way from Rutland, he undertook to direct me, and stop me as to speaking, and told me I should not have the use of pen, ink and paper. On Wednesday evening last I was locked up in this room, where I now am; it is about sixteen feet long by twelve wide, with a necessary in one corner, which affords a stench about equal to the Philadelphia docks in the month of August. This cell is the common receptacle for horse-thieves, money-makers, runaway-negroes, or any kind of felons. There is a half-moon hole through the door, sufficient to receive a plate through, and for my friends to look through and speak to me. There is a window place on the opposite side, about twenty inches by sixteen, crossed by nine square iron bars; all the light I have is through this aperture; no fire-place in the cell, nor is there anything but the iron bars to keep the cold out; consequently I have to walk smartly with my great coat on, to keep comfortably warm some mornings.

"On Thursday morning last, I asked a friend for his pen and ink, in presence of the jailer. It was offered me; but the jailer said, it was against his orders, I must not have it. The marshal paid me a visit on Thursday evening, he examined the cell, looked on my little table to see what was there: but found nothing but Volney's Ruins, the late laws, some of the Presi-

dent's messages, and a list of the petit jury. I inquired of him before, or then, what situation I was to consider myself in with regard to the use of pen and ink? His answer was, I might use them; but he must see everything I sent out of the jail, if I concluded otherwise, (looking at a chain that lay on the floor,) he said he would put me in a situation in which I could not write. I asked him what he meant by that? He told me I was at his disposal, and if I did not behave like a prisoner, he would send me to Woodstock jail. I told him there would be one advantage in that, he would not be there always, and I should get rid of the sight of him. On Friday, for the first time, two brothers-in-law were admitted to come in to see me. Some of my friends expostulated with the marshal on the subject of denying me pen and ink; and in the evening I observed a man hammering on the prison door. You seem much concerned about that door (said I); there has scarce been an hour since I came here, but there has been some person hammering at the door, or putting on new bolts or bars. It is all useless, said I; if I wished to come out, they could not hold me; and as I do not, if my limits were marked by a single thread, I would not overstep it. He replied, he was only nailing up an advertisement. Next morning, when the house was very still, I heard some person step up and read the advertisement on the door; it contained a preamble concerning my having complained that I was debarred the use of pen and ink and paper, and a declaration that I had leave to furnish myself with those things, and use them as I thought proper, signed by the marshal. As soon as I could get my eye on a person that would go and fetch General Clark, my friend and brother-in-law, who is a member of the legislature now sitting here, I sent

one. He came. I desired him to read the advertisement, and tell me what I should do concerning Fitch, the marshal. He said he would go and see Fitch, and see how he explained the business; he went to Fitch's house, but could not find him; some other business occupied him the rest of the day. I next morning sent for a number of friends, who got admittance, and after some conversation on the subject before the jailer, and getting his explanation of the advertisement, that he considered me now allowed to write, without submitting my productions to the marshal, I was solemnly invested with pen and ink. The first use I have made of it, after a line to my wife, is to write you this long, prolix account of the fruits of this *beloved* Sedition bill. You may remember that I told you, when it was passing, that it was doubtless intended for the members of Congress, and very likely would be brought to bear on me the very first; so it has happened, and perhaps I, who have been a football for dame fortune all my life, am best able to bear it. I have long disobeyed your injunction to write to you, waiting to be able to give you an account of the elections.

"The noise that has been made about the public and private negotiations of our envoys at Paris, has answered the purposes of the aristocrats completely, (on the other side of the mountain, I mean, Morris's district,) to exasperate the unthinking people against every republican. Governor Robinson had more than half of the votes on this side of the mountain; but Tichenor has got a great majority; in the whole he had 6,211; Robinson, 2,805, beside, I am told, there were about five hundred for him, which were lost by inaccurate returns; there were also 332 scattering votes.

" MONDAY, October 15.

"I have just learned that Morris is re-elected, and I have received the list of the votes for Representatives to Congress in this district; they stand for your friend,

" Lyon	3,482.	
" Williams,	1,554,	an aristocratic candidate.
" Chipman,	1,370,	an aristocratic candidate, brother to your little horse-nail maker.
" Spencer,	285,	and several other aristocrats.
" Israel Smith,	274,	and several other republicans.
	30	given in for Governor, and the Rep- resentatives of the several towns in Assembly, by one accident or an- other, put into the box for Repre- sentatives to Congress.
<hr/>		
	6,995	
	3,482	
<hr/>		
	3,513	
<hr/>		

"I remain, with unabated affection,

"Your obedient servant,

"M. LYON."

For many years the official record of the case of Matthew Lyon was suppressed, and not even the victim himself could procure a copy of it. Mr. Wharton sought for it diligently, but in vain, when writing his elaborate work, "The State Trials of the United States." The Adams party was ashamed of it, and tried to bury it from view. "The materials of this case," says Mr. Wharton, "which with the greatest difficulty, I have collected, are drawn chiefly from the New York 'Spectator'

of October 24, 1798, a paper then said to be under Mr. Hamilton's control, and of course decidedly Federal, and from the 'Aurora' of November 15, 1798, whose politics were equally decided the other way. I have made very general inquiries for fuller details, but the Vergennes paper of that day goes no further than those just cited, and I understand that a fuller report is not now to be obtained."<sup>a</sup>

Lyon complained of injustice and hard treatment on the part of Judge Paterson. His charge to the jury as given by Wharton, and his imputation of forgery of the Barlow letter, sustain the complaint of Lyon, and with the ruffianly conduct of marshal Fitch to the prisoner, which a decent judge would not have tolerated, all go to prove that Paterson was a fit tool of tyranny, if not as murderously inclined as a Norbury, still belonging to the same detestable family of judicial sleuths.

After a long, and as I feared fruitless search, like Mr. Wharton's, for the official record of this celebrated trial, I at last dug it out of a forgotten Congressional report. Those ponderous tomes John Randolph once likened to mausoleums of the dead,—“Why publish them?” quoth the Knight of Roanoke. “Nobody reads them; nobody is expected to read them.” And Longfellow wittily corroborates Randolph: “Thanks,” wrote the poet to Charles Sumner, “for your letter of four lines, one of which I could not read! Thanks for the four volumes of ‘The Globe,’ none of which I shall read!”

But these old reports and public documents are of value to the historian, and from the pages of this one, I am enabled to rescue from oblivion the official record, evidently softened, and pruned of many of its harsh features, of the trial of Mat-

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<sup>a</sup> “State Trials of the United States,” p. 331.

thew Lyon. The counts and specifications and cumbrous, common law tautology of the indictment will be dreary enough to the average lay reader, but lawyers and judges may be interested in a case which is the most serious blot on their profession in the annals of the American judiciary. For forty years the case of Matthew Lyon continually recurred in the proceedings and debates of the United States Senate and House of Representatives, for a reparation of the crime against the Constitution in the only possible way, by refunding to the victim or his heirs the fine and costs, with interest in full on the money, iniquitously wrung from his pocket. Year after year justice was thwarted, and the ill-gotten money remained in the treasury. But year after year the American conscience revolted and came back to the case, and many of the foremost of our statesmen made that national wrong against a patriotic citizen the text of eloquent arguments for restitution. The memory and name of John Adams were darkened by those denunciations of the alien and sedition laws, and in truth until that money was taken out of the treasury in 1840 and paid to the heirs of Matthew Lyon, then long since gone to his reward, the character of John Adams, in many respects one of the noblest in the history of the Republic, remained unvindicated from an act of oppression which had proved the *Iliad* of all his woes.

#### “CASE OF MATTHEW LYON.

Mr. McLean, of Kentucky, from the committee appointed on the memorial of Matthew Lyon, made a report thereon, accompanied with a bill for his relief; which, by leave of the House, was presented, read the first and second time, and committed

to a Committee of the Whole to-morrow. The report is as follows:

The petitioner states that, in violation of that provision of the Constitution of the United States of America which says "Congress shall make no law abridging the freedom of speech or of the press," Congress in July, 1798, passed the act commonly called the sedition law; that, some time previous to the passage of this bill, there appeared in the Philadelphia Federal papers a violent attack upon his character extracted from the Vermont Journal, charging him with many political enormities, particularly with the high crime of opposing the Executive; that he wrote a reply to this charge in Philadelphia, on the 20th of June, 1798, and on the same day put the letter, directed to the editor of the said Vermont Journal, into the post office at Philadelphia, twenty four days before the passage of the sedition law. For the publication of this letter he was indicted in October following, in the circuit court of the United States in the Vermont district. In the same indictment, he was charged with publishing a copy of a letter from an American diplomatic character in France to a member of Congress in Philadelphia; also for aiding, assisting, and abetting in the publication of said letter.

He states said letter was written by Joel Barlow to Abraham Baldwin then a member of Congress: He denies that he printed said letter, or aided or abetted in the printing of it; but, on the contrary, that he used his endeavors to suppress it, by destroying the copies which came into his possession. He states that, owing to the political party zeal which prevailed in the United States at that time, much unfairness was used in the trial, both by the marshal in summoning the jury,



and the judge who presided, in his instructions to them, and thereby a verdict of guilty was returned against him by the jury; and upon that verdict the court sentenced him to pay a fine of \$1,000, the costs of suit, be imprisoned four calendar months, and until the fine and costs were paid. He states that, by virtue of said judgment, he was arrested and confined in a dungeon, the common receptacle of thieves and murderers, fifty miles distant from the place of his trial, although there was a decent roomy jail in the county in which he lived, and in the town where the trial was had, which jail the Federal Government had the use of; that much severity was exercised towards him during his imprisonment; that he languished in the loathsome prison more than six weeks in the months of October, November, and December, in the cold climate of Vermont, without fire, before he was allowed, at his own expense, to introduce a small stove, or to put glass into the aperture which let in a small glimmer of light through the iron grate.

He states that he is poor, and asks Congress to refund to him \$1,000, the fine which he has paid, the costs of suit, for one hundred and twenty-three days' pay as a member of Congress, while he was unconstitutionally detained from a seat in that body, reasonable damages for being suddenly deprived of his liberty, put to great expense, and disabled from paying that attention to his concerns, which, in other circumstances, he would have been allowed to do, and such interest on those sums as public creditors are entitled to.

Your committee state that the prosecution against the said petitioner, the judgment, imprisonment, and payment of \$1,000, the fine, and \$60.96, the costs of suit, are proved by a

copy of the record of proceedings in said cause, which is made a part of this report. The committee are of opinion that the law of Congress under which the said Matthew Lyon was prosecuted and punished was unconstitutional, and therefore he ought to have the money which has been paid by him refunded; but, should they be mistaken as to the unconstitutionality of this law, yet they think there are peculiar circumstances of hardship attending this case which call for relief. Your committee, therefore, ask leave to report a bill.

OFFICIAL RECORD OF THE CASE CERTIFIED.

The President of the United States to all who shall see these presents, greeting:

Know ye, that among the pleas of our circuit court of second circuit of the United States, in the Vermont district, there is a certain record remaining, in the words following, to wit:

United States of America,

Vermont District, to wit:

Pleas of the circuit court of the said United States, at their term begun and held at Rutland, within and for the said Vermont district, on Wednesday the 3rd day of October, in the year of our Lord 1798, and of the independence of the United States the twenty-third, before the honorable William Patterson, esq., one of the associate justices of the Supreme Court of the United States, and the honorable Samuel Hitchcock, esq., district judge within and for the said Vermont district, and judges of said circuit court according to the form of the statute in such case made and provided.

United States versus Matthew Lyon.

Be it remembered that, at a term of the circuit court of the said United States, begun and held at Rutland, within and

for the district aforesaid on the third day of October, in the year of our Lord one thousand seven hundred and ninety-eight and of the independence of the said United States the twenty-third, before the honorable William Paterson, esq., one of the associate justices of the Supreme Court of the said United States, and the honorable Samuel Hitchcock, esq. district judge within and for the said district of Vermont, judges of the said circuit court, according to the form of the statute in such case made and provided, the grand jurors within and for the body of said district of Vermont, to wit: Eli Cogswell, Nathan Pratt, David Osgood, Ozias Fuller, Royal Crafts, Abner Mead, Gideon Horton, Abraham Gilbert, Ebenezer Worster, John Mott, Thomas Hammond, Adgate Lothrop, John Penfield, Ebenezer Hopkins, Brewster Higly, Zadock Remington, Abijah Brownson, and Joel Culver, good and lawful freeholders of the said district, then and there empanelled, sworn and charged to inquire, for the said United States, and for the body of the district aforesaid, did present, that Matthew Lyon, of Fair Haven, in the said district of Vermont, being a malicious and seditious person, and of a depraved mind and wicked and diabolical disposition, and deceitfully, wickedly and maliciously contriving to defame the Government of the United States, and with intent and design to defame the said Government of the United States, and John Adams, the President of the United States, and to bring the said Government and President into contempt and disrepute; and with intent and design to excite, against the said Government and President the hatred of the good people of the United States, and to stir up sedition in the United States, at Windsor, in the said district of Vermont, on the 31st day of July last, did, with force

and arms, wickedly, knowingly, and maliciously write, print, utter, and publish, and did then and there cause and procure to be written, printed, uttered and published, a certain scandalous and seditious writing, or libel in form of a letter, directed to Mr. Spooner, (meaning Alden Spooner, printer and publisher of a certain weekly newspaper, in Windsor aforesaid, commonly called Spooner's Vermont Journal,) signed by the said Matthew Lyon and dated at Philadelphia on the 20th day of June last; in which said libel of and concerning the said John Adams, President of the United States, and the Executive Government of the United States, are contained, among other things, divers scurrilous, feigned, false, scandalous, seditious, and malicious matters, according to the tenor following, to wit: 'As to the Executive, (meaning the said President of the United States) when I shall see the effects of that power (meaning the executive power of the United States, vested by the Constitution of the United States in the said President) bent on the promotion of the comfort, the happiness, and accommodation of the people, (meaning the people of the United States,) that Executive (meaning the President of the United States) shall have my (meaning the said Matthew Lyon's) zealous and uniform support. But whenever I (meaning the said Matthew Lyon) shall, on the part of the Executive, (meaning the said John Adams, President of the United States) see every consideration of public welfare swallowed up in a continual grasp for power, in an unbounded thirst for ridiculous pomp, foolish adulation or selfish avarice; (meaning the said Matthew Lyon) shall behold men of real merit daily turned out of office, for no other cause but independency of sentiment; (meaning that men of

real merit, holding offices under the laws and Constitution of the United States, were daily, by the said John Adams, as President of the United States, turned out of office for the cause of having independency of spirit) when I (meaning the said Matthew Lyon) shall see men of firmness, merit, years, abilities, and experience, discarded in their applications for office for fear they possess that independence, and men of meanness preferred, for the ease with which they can take up and advocate opinions, the consequence of which they know but little of; (meaning that men of firmness, years, merit, ability, and experience, were, by the said John Adams, as President of the United States, in violation of the duties of his said office neglected in appointments to office under the laws and Constitution of the United States, and discarded in their applications for such offices and appointments; and that men of meanness, who are unfit for the exercise of such offices, under the laws and Constitution of the United States, were, by the said John Adams, as President of the United States, preferred to such offices and appointment, on account of the ease with which they took up and advocated opinions, of the consequences of which they were ignorant); when I (meaning the said Matthew Lyon) shall see the sacred name of religion employed as a State engine to make mankind hate and persecute one another, I (meaning the said Matthew Lyon) shall not be their humble advocate;' (meaning that the sacred name of religion was, by the said John Adams, in his capacity of President of the United States, employed as an engine of State to make mankind hate and persecute each other:) to the great scandal and infamy of the said John Adams in his capacity of President of the United States, and

to the great scandal and infamy of the said Government of the said United States. And so the jurors aforesaid, upon their oaths aforesaid, do say that the said Matthew Lyon, at Windsor aforesaid, on the 31st day of July aforesaid, did, knowingly, wickedly, deceitfully, and maliciously with intent and design to defame the said Government of the United States, and the said John Adams, President of the United States, and to bring the said Government and President of the United States into contempt and disrepute with the good people of the United States, and to excite against them, the said Government and President of the United States, the hatred of the good people of the United States, and with intent and design to stir up sedition within the United States against the Government thereof, write, print, utter, and publish, and cause and procure to be written, printed, uttered and published, for the purpose aforesaid, the said false, feigned, scandalous, and malicious writing and libel aforesaid, containing, among other things, the said divers scurrilous, false, feigned, scandalous, seditious, and malicious matters aforesaid, in contempt of the good and wholesome laws of the United States, to the evil and pernicious example of others in like case offending against the statute of the United States in such case made and provided, and against the peace and dignity of the United States.

And the jurors aforesaid, upon their oaths aforesaid, do further present, that the said Matthew Lyon, being a malicious and seditious person, and of a depraved mind, and of a wicked and diabolical disposition, also deceitfully, wickedly, and maliciously contriving to defame the Government, and with intent to defame John Adams, Esquire, President of the United

States, and with intent to defame the Senate of the United States, being one branch of the Congress of the United States, and to bring the said Government, President and Senate into contempt and disrepute, and to excite against the said Government, President and Senate the hatred of the good people of the United States, and with intent and design to stir up sedition within the United States, did, at Fair Haven, in the said district of Vermont, on the 1st day of September now last past, with force and arms wickedly, knowingly, and maliciously write, print, utter, and publish, and then and there did cause and procure to be written, printed, uttered, and published, a certain false, feigned, scandalous and seditious writing, or libel, entitled 'Copy of a letter from an American diplomatic character in France to a member of Congress in Philadelphia', in which said writing, or libel, of and concerning the said Government of the United States, and the said President and Senate of the United States, and of and concerning the speech of John Adams, Esquire, then President of the United States, and of and concerning the answer of the said Senate to the said speech, are contained, among other things, divers scurrilous, feigned, false, scandalous, seditious, and malicious matters according to the tenor following, to wit: 'The misunderstanding between the two Governments (meaning the Governments of the said United States and France) has become extremely alarming; confidence is completely destroyed; mistrusts, jealousy, and a disposition to a wrong attribution of motives are so apparent, as to require the utmost caution in every word and action that are to come from your Executive, (meaning the Executive Government of the United States) I mean if your object is to avoid hos-

tilities. Had this truth been understood with you (meaning the people of the United States) before the recall of Monroe, (meaning James Monroe, the late Ambassador from the United States to the Republic of France,) before the coming and second coming of Pinckney (meaning Charles C. Pinckney, one of the late Envoys Extraordinary from the United States to the said Republic of France); had it guided the pens that wrote the bullying speech of your President (meaning the said speech of John Adams, then and still President of the United States, to both Houses of Congress at the opening of their session in November, 1797,) and stupid answer of your Senate, (meaning the Senate of the United States, being one house of the Congress of the United States), at the opening of Congress (meaning the Congress of the United States) in November last, (meaning at the session of the said Congress in November, in the year of our Lord 1797,) I should probably have had no occasion to address you this letter, (meaning the said writing or libel;) but when we found him (meaning the said John Adams, President as aforesaid) borrowing the language of Edmund Burke, and telling the world that, although he should succeed in treating with the French, (meaning the Government of France,) there was no dependence to be placed on any of their engagements, (meaning the engagements of the said Government of France;) that their religion and morality (meaning the religion and morality of the French nation) were at an end; that they (meaning the French nation) had turned pirates and plunderers, and it would be necessary to be perpetually armed against them (meaning the said French nation;) though you are at peace, we (meaning the people of France) wondered that the answer

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of both Houses (meaning both Houses of the Congress of the United States) had not been an order to send him (meaning the said John Adams, Esquire, President of the United States) to a mad-house. Instead of this, the Senate (meaning the Senate of the United States) have echoed the speech (meaning the said speech of said John Adams, as President of the United States) with more servility than ever George the Third (meaning the King of Great Britain) experienced from either House of Parliament', (meaning the Parliament of Great Britain;) to the great scandal and infamy of the said Government of the said United States, and the said John Adams, President of the United States, and the said Senate of the United States, being one of the Houses of the Congress of the United States. And so the jurors aforesaid, upon their oaths, aforesaid, do say that the said Matthew Lyon, at Fair Haven, aforesaid, on the 1st day of September aforesaid, did, knowingly, wickedly, deceitfully, and maliciously, with intent and design to defame the said Government of the United States, and the said John Adams, President of the United States, and the Senate, being one House of the Congress of the United States, and to bring the said Government, President, and Senate of the United States into great contempt and disrepute with the people of the United States, and to excite against them, the said Government, President and Senate of the United States, the hatred of the good people of the said United States, and with intent to stir up sedition within the United States against the Government thereof, write, print, utter, and publish, and cause and procure to be written, printed, uttered, and published, for the purpose aforesaid, the said false, feigned, scandalous, and malicious writing and

libel aforesaid, containing, among other things, the said divers scurrilous, false, feigned, scandalous, and seditious matters aforesaid, in contempt of the good and wholesome laws of the United States, to the evil and pernicious example of others in like case offending against the statute of the United States in such case made and provided, and against the peace and dignity of the said United States.

And the jurors aforesaid, upon their oaths aforesaid, do further present, that the said Matthew Lyon, being a malicious man, of a depraved mind, and of a wicked and diabolical disposition, and also deceitfully, wickedly, and maliciously contriving to defame the Government of the said United States, and with intent and design to defame the said Government, and the said John Adams, Esquire, President of the said United States, and the Senate, being one of the Houses of the Congress of the said United States, and to bring the said Government, President, and Senate of the United States into disrepute, and contempt, and with intent to excite the hatred of the good people of the United States, against the said Government and the Senate of the United States, and to stir up sedition within the said United States against the Government thereof, did, at Fair Haven, aforesaid, on the 1st day of September, aforesaid, for the purpose aforesaid, with force and arms, knowingly, wickedly, deceitfully, maliciously, and willingly assist, aid, and abet in the falsely and maliciously writing, printing, uttering, and publishing a certain false, feigned, scandalous, and seditious writing, or libel, entitled 'Copy of a letter from an American diplomatic character in France to a member of Congress in Philadelphia;' in which said writing, or libel, of and concerning the Government of

the United States, and the said President and Senate of the said United States, and of and concerning the said speech of the said John Adams, as President of the United States, to both Houses of the Congress of the United States, and of and concerning the answer of the said Senate of the United States, to the said speech of the said John Adams, President of the United States, in which said writing, or libel, among other things, are contained divers false, feigned, scandalous and seditious matters, according to the tenor following, to wit: 'Had this truth been understood with you (meaning the people of the United States) before the recall of Monroe, (meaning James Monroe, Ambassador from the United States to the Republic of France,) before the coming and second coming of Pinckney, (meaning Charles C. Pinckney, one of the Envoys Extraordinary from the United States to the said Republic;) had it guided the pens that wrote the bullying speech of your President, and the stupid answer of your Senate at the opening of Congress, in November last, (meaning the speech of the said John Adams, as delivered by him to both Houses of the Congress of the United States at the opening of their session, in November last, and the answer of the Senate, being one of the Houses of the said Congress, to the said speech,) I should probably have had no occasion to address you this letter,' (meaning the said writing, or libel, last mentioned.) 'We (meaning the people of France) wondered that the answer (meaning the answer to the said speech) of both Houses (meaning both Houses of the Congress of the United States) had not been an order to send him (meaning the said John Adams, President of the United States) to a mad-house;' to the great scandal and infamy of the said John

Adams, in his said capacity of President of the United States, to the great scandal and infamy of the said Senate, being one of the Houses of Congress of the United States, and to the great scandal and infamy of the Government of the said United States. And so the jurors aforesaid, upon their oaths aforesaid, do say that the said Matthew Lyon, with force and arms, at Fair Haven, aforesaid, in the district aforesaid, on the first day of September aforesaid, did, knowingly, willingly, wickedly, and maliciously, and with intent, and design to defame the said John Adams, President of the United States, and the said Senate, being one of the Houses of the Congress of the United States, and the said Government of the United States, and to bring the said Government, President, and Senate into contempt and disrepute with the good people of the United States, and to excite against them, the said Government, President, and Senate of the United States, the hatred of the good people of the said United States, and with intent to stir up sedition within the said United States against the Government thereof, aid, assist, and abet in the maliciously writing, uttering, and publishing, for the purposes aforesaid, the said false, feigned, scandalous, and malicious writing and libel last aforesaid, containing, among other things, the said divers, scurrilous, false, feigned, scandalous, seditious, and malicious matters aforesaid, in contempt of the good and wholesome laws of the United States, to the evil and pernicious example of others in like case offending, contrary to the form, force and effect of the statute of the United States in such case made and provided, and against the peace and dignity of the United States.

Whereupon, the marshal of the district aforesaid is com-

forthwith to apprehend the said Matthew Lyon, if found within his district, and him safely keep, to answer charges whereof he here stands indicted.

afterwards, to wit, on the sixth day of the same October id, at Rutland aforesaid, before the court aforesaid, here the said Matthew Lyon, under the custody of Jabez B. Esq., marshal of the district aforesaid, and by the marshal being brought, in his own proper person, to the said court here, was forthwith demanded, concerning premises in the said indictment above specified and upon him, how he will acquit himself thereof; he, the said Matthew Lyon, saith that he is not guilty thereof, and he puts himself upon the country; and Charles Marsh, Esq., attorney for the said United States within and for the district aforesaid, who prosecutes for the said United States on behalf, doth the like.

before, let a jury of good and lawful freeholders of the district aforesaid, on the eighth day of the same October afore-

Rutland, in the district aforesaid, by whom the truth of the matters aforesaid may be better known—who are not to the said Matthew Lyon—to recognise, upon their oath, whether the said Matthew Lyon be guilty or not guilty of the charges of which he stands indicted as aforesaid; because, the said Charles Marsh, Esquire, who prosecutes for the said United States in his behalf, as the said Matthew Lyon, doth themselves upon that jury for trial of said issue.

afterwards, to wit, on the same eighth day of October id, at Rutland, in the district aforesaid, before the same court aforesaid, came as well the said Charles Marsh, Esquire, who prosecutes for the said United States in this behalf, as

the said Matthew Lyon, in his own proper person; and the jurors of the jury aforesaid, by the said Marshal for this purpose empannelled and returned, to wit, John Ramsdel, Jabez Ward, John Hitchcock, jun., Bildad Orcutt, Andrew Leach, Daniel June, Joshua Goss, Philip Jones, Josiah Harris, Ephraim Dudley, Moses Vail, and Elisha Brown, who, being called, came, and being elected, tried, and sworn to speak the truth of and concerning the premises, upon their oaths say that the said Matthew Lyon is guilty of the charges of which he stands indicted aforesaid, in form aforesaid, as by the indictment aforesaid is supposed against him. And, upon this, it is forthwith demanded of the said Matthew Lyon, if he hath any thing further to say wherefore the said court here ought not, on the premises aforesaid, and verdict aforesaid, to proceed to judgment against him, who nothing saith. And afterwards, to wit, on the ninth day of the same October aforesaid, at Rutland, in the district aforesaid, before the court aforesaid, came the said Matthew Lyon, in his own proper person.

Whereupon, all and singular the premises being seen, and by the judges of the court here fully understood, it is considered and ordered by the court that the said Matthew Lyon be imprisoned four calendar months; that he pay a fine of one thousand dollars, and the costs of this prosecution; and that he stand committed until this sentence be complied with. Costs of prosecution taxed at sixty dollars and ninety-six cents.

Judgment entered this ninth day of October, A. D. 1798.

By order of court:

CEPHAS SMITH, JUN., Clerk.

Mittimus issues October 9, 1798, at eight o'clock, forenoon.

CEPHAS SMITH, JUN., Clerk.

I hereby certify that the preceding is a true copy of the

record, examined and collated this 21st day of December, A. D. 1819, by me.

JESSE GOVE, Clerk Vt. Dist.

District of Vermont, to wit:

The President of the United States to the Marshal of the District of Vermont.

Whereas Matthew Lyon, of Fair Haven, in the county of Rutland, in the district of Vermont, before the circuit court of the United States, begun and held at Rutland, within and for the said district, on the third day of October, in the year of our Lord one thousand seven hundred and ninety-eight, and of the independence of the said United States the twenty-third, was convicted of writing, printing, uttering, and publishing certain false, scandalous, and seditious libels, and of aiding, abetting, and assisting therein, contrary to the form, force, and effect of the statute entitled 'An act in addition to an act entitled An act for the punishment of certain crimes against the United States,' and sentenced to imprisonment for the term of four calendar months, to pay a fine of one thousand dollars to the United States, and the costs of this prosecution, taxed at sixty dollars and ninety-six cents, as appears of record, whereof execution remains to be done: Therefore,

By the authority of the United States, you are hereby commanded to imprison him, the said Matthew Lyon, in either of the jails of the United States, within and for the district of Vermont, for the term of four calendar months from the date hereof: and on his (the said Matthew Lyon's) neglect or refusal to pay said fine and costs, you are to keep and detain him, the said Matthew, in imprisonment as aforesaid, until he pay the said fine and costs, with fifty cents for this writ, and

the costs of commitment, together with your fees, or until he be otherwise discharged according to law. And of this writ, with your doings herein, make due return according to law, at our said court, on the first day of May next.

Witness, the honorable Oliver Ellsworth, Esquire, Chief Justice of the Supreme Court of the United States, at Rutland aforesaid, the ninth day of October, at eight o'clock, forenoon, A. D. one thousand seven hundred and ninety-eight, and of the independence of the said United States the twenty-third.

CEPHAS SMITH, JUN., Clerk.

District of Vermont, October 10, 1798.

By virtue of the within writ, or warrant of commitment, I committed the body of the within-named Matthew Lyon, within the prison in the city of Vergennes, and left a true and attested copy of this writ, with my endorsement thereon, with the keeper of said prison.

Fees of commitment, fifty cents.

Attest: JABEZ G. FITCH, Marshal.

District of Vermont,

Vergennes, the 9th day of February,

8 o'clock A. M. 1799.

The within-named Matthew Lyon, having complied with the within warrant, is hereby discharged from his confinement.

Attest: S. FITCH, Marshal's deputy."<sup>a</sup>

The election for Congress in Colonel Lyon's district took place in September, 1798, when the National and State authorities combined their forces to beat him. His popularity was so much feared as to induce the nomination of five strong

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<sup>a</sup> "Annals 16th Congress, with Appendix Containing Important State Papers and Public Documents," 1820, pp. 478 *et seq.*



candidates with a view of dividing the Democrats and drawing away votes from Lyon. In a total poll of 6,989, he received 3,482, Williams 1,544, Chipman 1,370, Abel Spencer 268, Israel Smith 226, scattering 99. This brought Lyon within 26 votes of a clear majority over all, and was extremely galling to his opponents. His arrest followed almost immediately, attesting the folly and desperation of the Federalists. As no one got a majority, there was no election in September, and another trial of strength at the polls took place in December, while Lyon was in Vergennes jail, in close confinement. I know of no other instance in American history where such a thing has occurred. The President of the United States and his whole party were actively engaged on one side, Matthew Lyon in his cell, backed by his old associates, the Green Mountain Boys, on the other. The result was an overwhelming victory for the prisoner, who proved more powerful in shackles than John Adams in the Presidency. Lyon received 4,576 votes, Williams 2,444, and the votes for all the other candidates added to those for Williams, fell about 600 short of Lyon's telling majority.

There was nothing left for Adams to do but to keep him in prison. Fitch called in Federalist lawyers of the Chipman stripe to spell out more sedition in Colonel Lyon's letters from behind the bars, in order that, if he contrived to pay his fine and get his discharge, the body snatchers could take him again on mesne process. Meantime Colonel Lyon put in many anxious hours thinking how to raise the money in his stringent circumstances, to satisfy the vengeful judgment of Paterson against him. But fortunately he was not the only lover of liberty who was thinking about the matter. Jefferson,

and Madison, and Monroe, and Gallatin, and John Taylor of Caroline, and Stevens Thompson Mason of Loudoun, and the entire phalanx of Republicans in Congress, did their share of the thinking. Apollos Austin, the wealthy Jeffersonian Democrat of Orwell, Vermont, he too was thinking and pondering. Inspired by editor Anthony Haswell, a sufferer in the same cause, the yeomanry of Vermont, who erst heard the guns rattle at Bennington, ran their hands down their gaunt pockets for the poor man's mite to fling their shillings and quarters and half dollars into a wallet of ransom money. General Mason, away down in old Virginia,

"Land of true feeling, land forever mine!"

lined his saddle-bags with a thousand and sixty dollars in gold coin, and started North. Apollos Austin took incredible pains to gather together a thousand and sixty more in great big silver dollars, and went from Orwell to Vergennes with his strong box on the day of Lyon's delivery, since the fluctuations of shiplasters put paper money out of the question when dealing with alien and sedition laws' Shylocks.<sup>a</sup> Matthew Lyon might have laid aside his anxieties and spared himself the sacrifice of buying that lottery grant whereby he realized enough money on the prizes he sold of his houses, mills, factories and lands, not only to pay the fine and costs, but to have a surplus left to his credit of three thousand dollars.<sup>b</sup> But General Mason paid the money, and to this day the descendants of Colonel Lyon reverence his memory, and name their children after him.<sup>c</sup> The Senator, the same gentle-

<sup>a</sup> "Vermont Governor and Council for 1791-1804," Vol. IV, pp. 495-96.

<sup>b</sup> "Life and Services of Matthew Lyon," by Pliny H. White, p. 22.

<sup>c</sup> See letter of thanks of the Republicans or Democrats of Vermont to Stevens Thompson Mason, United States Senator from Virginia, in the "Vermont Gazette," March 28, 1799.

man to whom Lyon had made the prediction at his seat in the House, on the passage of the sedition bill, that he himself would be its first victim, set out from Virginia in full time to reach Vermont by the day Lyon's term of imprisonment would expire. He carried, I repeat, in his saddle-bags, slung across his good steed, a thousand and sixty dollars in gold, the sum required to pay the fine and costs, in which the prisoner was cast, before he could be enlarged.

It was a beautiful sight to see this Cavalier from the South-land riding abroad into the far North, with ransom for his imprisoned friend. How Walter Scott would have rejoiced to be present as this knightly Senator rode forth on his mission of loyalty and unselfish devotion; how he would have revelled over those gold laden saddle-bags. The Southerners are called sons of chivalry. Here was chivalry and true knight-hood, such as the Wizard of the North depicts. What a picture of General Mason Sir Walter would have left us. There is nothing in the pages of *Ivanhoe* or the *Talisman* more romantic than Mason's ride to Vergennes jail, to strike the shackles from the American John Hampden,—Matthew Lyon of Vermont.

Admiral Dewey is not the first Vermonter to whom his countrymen have awarded a festival day. Matthew Lyon received one equally as impressive a hundred years ago. Dewey came back, as Nelson would have come, had he lived, victor over a foreign foe. Lyon came back, cheered like Hampden by the plaudits of his countrymen, on a triumphal journey from a prison to Congress. The vast multitude that welcomed Lyon as he emerged from his cell, and who followed him on his rejoicing way, "reached," says a Vermont writer, "from

Vergennes, as they traversed Otter Creek upon the ice, nearly to Middlebury."<sup>a</sup>

Mr. White, in his interesting account of the scene, relates that "Lyon's enemies had made preparations to have him arrested as soon as he was discharged from jail; but no sooner had the marshal opened the prison doors, and announced to him that he was free, than he shouted 'I am on my way to Philadelphia,' and stepping out, started at once on his journey. Congress had been in session some months, and his privilege as a member secured him from arrest. His journey," adds Mr. White, "was a triumphal march. A great concourse of people accompanied him on his way, with the American flag at the head of the procession; and as they passed along, the inhabitants of the towns on the line of march assembled numerously to greet him. Even children partook of the spirit of the occasion. As he passed a school house in Tinmouth, the children were paraded at the roadside, and one of them offered the following sentiment: 'This day satisfies Federal vengeance. Our brave Representative, who has been suffering for us under an unjust sentence, and the tyranny of a detested understrapper of despotism, this day rises superior to despotism.' On his arrival at Bennington, he was welcomed by a large assemblage of Republicans, who greeted him with cheers, original songs and a formal address, to which he briefly responded, and then pursued his journey."<sup>b</sup>

Hon. William Slade, a Representative from Vermont, in a speech in Congress, delivered May 23, 1840, said: "The Democrats of the day gathered in a great assembly round the

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<sup>a</sup> "Vermont Governor and Council," IV, 495.

<sup>b</sup> "Life and Services of Matthew Lyon," by Pliny H. White, p. 22.

jail, an assembly not equalled by any I have ever seen, save the Grand Convention at Baltimore, and a voluntary contribution was called for and taken up; but before it could be applied, the fine had been paid, either through the intervention of Colonel Lyon's friends in another county, or by his own means. As soon as Lyon was at the jail door, he proclaimed that he was on his way to Congress. The cavalcade which attended him stopped at my father's house, and there all partook of cakes and hard cider in true Democratic style."<sup>a</sup>

It would extend these pages too much to multiply accounts of the progress of Colonel Lyon to the seat of Government. As he drove off with his noble wife seated by his side in a sleigh drawn by four horses, the rejoicing of many thousands of people attended him on his way. A mighty concourse joined his company in the journey through the State, and similar scenes of acclamation and escort of great processions of people were kept up during the whole journey through New York, New Jersey and Pennsylvania. I will conclude the description by quoting what a very graphic writer says in a volume published in 1899, in the Henry E. Scudder American Commonwealth Series, now being issued by Houghton, Mifflin and Company. The author is Mr. Rowland E. Robinson. He remarks:

"Measures were taken for the payment of Lyon's fine in indisputably legal tender, one citizen of the State providing the sum in silver dollars, and one ardent Republican from North Carolina coming all the way from that State with the amount in gold." Mr. Robinson must correct an error which has crept in here in another edition, which he has borrowed

<sup>a</sup> "Congressional Globe," 26th Congress, p. 413.

from Mr. Roswell Bottom's article on the subject in the fourth volume of the Vermont Governor and Council. It was Senator Mason of Virginia, not of North Carolina, who brought the gold. "But Lyon's political friends," continues Mr. Robinson, "desired to save the honor of paying his fine, and it was arranged that no person should pay more than one dollar. No sooner had he come out from prison than his fine was paid, and he was named in a sleigh and driven up the frozen current of Great River to Middlebury, attended, it is said, by an escort of soldiers the train extending from the one town to the other, a distance of twelve miles. With half as many, he might boast of a greater following than had passed up the Indian Road under any leader since the bloody days of border warfare, when Waubanakee chief or Canadian partisan led their marauding horde along the noble river."<sup>6</sup>

Mr. Bayard in a spirit of folly and spleen offered a resolution on Colonel Lyon's arrival at Philadelphia, and reappearance in Congress, expelling him from his seat. Forty-nine Federalists voted for it, but forty-five Democrats voted against it, and defeated it under the constitutional two-thirds law. Lyon was back to stay, without the leave of Bayard or Harper or Adams, or any or all of the Black Cockades of the President, in or out of Congress.

On the 21st of January, 1801, during a debate in the House on a resolution to continue in force the sedition law, Colonel Lyon made the following remarks: "In the course of the debate on the present motion, my condemnation and imprisonment have been introduced by gentlemen whom I highly re-

<sup>6</sup> "Vermont—A Study of Independence," by Rowland E. Robinson, 1882, p. 202.

spect, but without many of the agitations which belonged to that very extraordinary case. A number of gentlemen have told the Committee that they would avoid the discussion of my case in compliment to my feelings—all of whom, except the gentleman from South Carolina, have done their utmost to wound those feelings. But I can tell those gentlemen it is now too late; I do not thank them for their pretended tenderness; they have heretofore lacerated those feelings by their irritating and abusive language, until I have become perfectly callous to anything that can come from that quarter. I do not think by any means, that they should go round my case out of delicacy to me—rather let them defend the indicting me under the sedition law, for writing and publishing a letter dated the 20th June, and sent about that time by me to the post office of Philadelphia, which carried the postmarks of Philadelphia, July 7th, seven days before the law passed. Let them defend the judge in charging the jury to find me guilty of malicious intentions, on the ground of my own known political principles; my opposition in Congress to the Executive, where there was no proof whatever against me of such principles.

“Again, let those gentlemen justify the judge in sending a man from the jury, because a creature of a party swore that, at a previous time, he had heard that juror say something like this: that it was his belief that Mr. L. would not be found guilty. This was a man who was summoned through a mistake, and it was necessary to get rid of him some way or other. Let them defend the conduct of the judge who, in his charge, in order to exasperate the jury against me, descended to degrade his office so much as to tell them I was guilty of forging

the writing called 'Barlow's letter.' 'Let,' said the judge, 'men of letters read that letter and compare it with Barlow's writings, and they will pronounce it to be none of his.' Let those gentlemen defend the marshal in carrying me, in the most contumelious and degrading manner, upwards of forty miles from the door of the jail of the county where I lived, which is a jail of the United States. Let them defend that marshal for throwing me into a stinking cell of about ten feet by sixteen, the common receptacle of thieves, murderers and runaway negroes, without anything to keep the cold out where the light came in, and keeping me there four months, nearly one month of which without fire, not having the liberty to procure myself a stove, although in a cold, inclement season, whilst the house contained comfortable rooms in plenty, which I could have hired had I been allowed to do it; but he refused, notwithstanding my application to him, and the entreaties of several of my friends, offering a security of \$100,000 bail for my continuance in the appointed room during the time of my confinement.

"Unless gentlemen can defend these things, let them speak no more of the superiority of this law over the common law, nor vindicate it upon the limits of its punishment being assigned, the contrary of which I think my experience abundantly proved."<sup>a</sup>

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<sup>a</sup> "Annals of Sixth Congress, 1799-1801," pp. 973. *et seq.*





THOMAS JEFFERSON.



## CHAPTER VII.

THE ELECTION OF JEFFERSON TO THE PRESIDENCY—COALITION OF BURR AND THE FEDERALISTS—FIERCE PARLIAMENTARY STRUGGLE AND DEFEAT OF THE FEDERAL PARTY—LYON'S DECISIVE VOTE—HIS CELEBRATED LETTER TO EX-PRESIDENT ADAMS.

**I**N a notice of Matthew Lyon in Collins's "History of Kentucky," an admirable work, the following observations occur: "Just before the close of this term, on February 17, 1801, on the 36th ballot, Colonel Lyon decided the painful and protracted seven days' voting for President, by casting his vote and that of Vermont for Thomas Jefferson,—making him President in preference to Aaron Burr."<sup>a</sup>

It is time to strip the mask from those Federalists of 1801 who, presuming upon the ignorance of the American people, have claimed the credit to themselves for Jefferson's election. The romancers in history, like Hildreth and Henry Cabot Lodge, and certain foreign bookmakers who have galloped through the country scribbling as they rode, select James A. Bayard as the hero who bore into the presidency upon his broad shoulders the timid, intriguing, otherwise beaten Thomas Jefferson. And quite a number of our recent political pamphleteers have accepted this rodomontade as sober truth. Mr. Bayard hated Mr. Jefferson with bitter intensity, but it never was in his power, at any period during the fierce contest,

<sup>a</sup> Collins's "History of Kentucky," II, 491.

to defeat him, although he made most strenuous exertions to accomplish that result. It is no wonder Benjamin Watkins Leigh, in a moment of impatience, once inveighed against the Muse of History as "a lying old jade," and advised people to pay no attention to what she might record. In the same vein, but with more precision, the profound English historian, Dr. Lingard, rejects what is called the philosophy of history, and more accurately describes it as the philosophy of romance.

The two greatest sinners in spreading abroad those fables in relation to the memorable contest of 1801, were James A. Bayard and Robert Goodloe Harper. Relying upon the bucolic innocence of his contemporaries, Mr. Bayard, in 1802, explained his reason on the floor of the House for voting the preceding year for Burr and against Jefferson by declaring that "he gave his vote to the one whom he thought the greater and better man."<sup>a</sup> And yet the same Mr. Bayard had written to Alexander Hamilton in 1801, and said that Burr's talents were of so low an order as to have excited his contempt for what he calls the "unprincipled man," and he cited as a proof of his incapacity,—“tell it not in Gath; publish it not in the streets of Askelon,”—Burr's failure to deceive one blockhead, and to buy two corruptionists.<sup>b</sup> This was "the greater and better man" than Jefferson. Bayard's deposition in the Gillespie v. Smith case, in 1806, alleges a bargain of Bayard with Jefferson, which Jefferson declared absolutely false. Gen. Samuel Smith, through whom Bayard said he made the bargain, denied it, and sustained Jefferson's statement. Why did not Mr. Bayard vote for Jefferson, if he had a bargain or an under-

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<sup>a</sup> "Annals of Congress for 1801-2," p. 638.

<sup>b</sup> "Hamilton's Works," VI, 522.

standing with him? That is the crucial question. Actions speak louder than words. But Robert Goodloe Harper, who afterwards wrote a long string of forcible feeble denials of the more frank admissions made by Mr. Bayard in an unguarded moment just after the close of the contest in the House, was undoubtedly the greatest plotter of all the Federalists who tried to rob Mr. Jefferson of his victory, and to seat a man in the presidency who had not received a single vote for that high office. What must be thought of the unsteadiness of purpose of Mr. Harper who wrote the letter quoted below, and then voted in the end a blank ballot? As soon as he knew that Jefferson and Burr had won the election over Adams and Pinckney for President and Vice-President of the United States, he instantly took advantage of a clumsy provision of the Constitution which then made the two highest candidates, if they received, as Jefferson and Burr did receive, an equal number of votes, both eligible to the Presidency, and threw the election in such a case into the House of Representatives, and he made stealthy, desperate efforts to defeat Jefferson. Burr had not received a vote for the office, but that clumsy, blundering provision, which the American people immediately after sponged out of the Constitution with righteous indignation, gave Mr. Harper his opportunity, and here is the tricky, seditious firebrand he forthwith wrote to Aaron Burr:

“ Washington, December 24, 1800.

My Dear Colonel,

The votes of Tennessee are come in and decide the tie. The language of the Democrats is, that you will yield your pretensions to their favorite; and it is whispered that overtures to

this end are to be, or are made to you. I advise you to take no step whatever, by which the choice of the House of Representatives can be impeded or embarrassed. Keep the game perfectly in your own hands, but do not answer this letter, or any other that may be written to you by a Federal man, nor write to any of that party.

Your friend, sincerely,

ROBT. G. HARPER.\*

Thus it appears that this Federalist did all that was in his power to precipitate a contest which threatened the overthrow of the Constitution, and a dissolution of the Union, to be accompanied very likely with civil war. That these calamities were invited by the foregoing letter is made plain by the events which followed. Mr. Burr "kept the game in his own hands," and the contest for President kindled a flame of excitement and uproar throughout the Union which but for one State in New England, held steady and law abiding by the iron will and unflinching determination of Matthew Lyon, most probably would have plunged the land in bloody civil war. Burr despatched his secret emissaries to Washington, and the Essex Junto and Southern doughfaces joined them in opening an agency for the purchase of votes. Every appliance and blandishment by which cupidity and ambition could be assailed and won over were put into clandestine operation. Hamilton, who deserves the greatest credit for his opposition to him, well described Burr as the Cataline of America, but so deftly did Burr manage this conspiracy to buy votes and cheat the people out of their President, that to this day when all believe it, few

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\* "Niles's Register," January 4. 1823.

can satisfactorily prove it. He was a master at concealment, though as Washington and Hamilton had seen the real man through all his arts at an earlier day, so now Jefferson took his gauge and measure, and was prepared for Mr. Burr even when he came with a whole Congress of Federalists at his heels, buying, and cajoling, and seducing whomsoever he found in the market for sale.

Harper was the mouthpiece employed by the Federalists to sound Burr. The preceding letter makes that plain. But his own admissions are not wanting to prove it. "I was present," afterwards said Mr. Harper, "at all the general deliberations of the Federal members on this momentous subject, which were frequent and very anxious. I may, I think, safely say that I was as much in the confidence of those gentlemen, and as well acquainted with their private and individual views, as any other person. I had a great deal of full and free communication with them, individually and privately, which I have every reason to believe was frank and confidential."\* Harper was a gentleman, and his word cannot be doubted on this subject. Meantime he had married the accomplished daughter of the richest man in America, Charles Carroll of Carrollton, and the impetuous South Carolina Federalist had become the conservative Baltimore lawyer. The Marylanders previously had been ruled by the Federalists, and Carroll, Chase and Thomas did not like Jefferson. But they were now thoroughly frightened over the impending loss of the capital of the United States, should they persist in voting for Burr. Poor Mr. Harper was in a dilemma. The people of Maryland were

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\* Letter of Robert Goodloe Harper, in "Niles's Register," January 4, 1823.

sending in petitions signed by thousands of Federalists, Democrats, men and women, everybody, Eastern Shore men, Baltimore men, Prince George's county, Charles county, and St Mary's county men, from every district, urging the election of Jefferson. They were rising *en masse* to implore their foolish Federalist Congressmen not to vote for Burr, as they would surely lose the Federal city by persisting in that mad course. In this awkward predicament Harper finally deserted Burr, and put in a blank vote on the last ballot.

Bayard was just as badly frightened as the Marylanders, since Delaware was threatened with the loss of Statehood, and might yet become in the event of a dissolution, what the Philadelphians insisted she was in fact, a Borough of Pennsylvania. But Bayard was a more outspoken man than Harper, and a few moments after the last ballot was announced in the House, he sat down and wrote a confidential letter to a friend in Wilmington, Delaware, in which he revealed all the secrets of the Federalists, said they were bent on revolution, and would rather go without a government than to vote for Jefferson, and told how the result of an election was finally brought about on the 36th ballot.<sup>a</sup> This letter was probably not meant for publication, and was not published until twenty-two years afterwards, when Mr. Harper and other gentlemen of the beaten party found all the plausible stories and explanations which they had been circulating during those many years, in order to mollify the wrath of the American people against the Federalists of 1801, suddenly and effectually annihilated by the unexpected publication of Mr. Bayard's tell-tale letter. This letter clearly revealed the fact that the Federalists had lent them-

<sup>a</sup> "Niles's Register," November 16, 1822.



selves to a desperate scheme of making Burr President, although he had not received a vote for that office. He styled them revolutionists, ready to go without a government rather than to vote for Jefferson, who, he declared, did not receive a single Federal vote during the whole thirty-six ballots that were taken in the House. Harper, who for years had been picturing the old Essex Junto and the Connecticut Blue Lights as saints and sages, wriggled and denied and evaded, but it was of no use, for here was Mr. Bayard, as if risen from the dead, denying it all, and depicting them as tools of Aaron Burr, and down-right revolutionists. Harper wrote a long, feeble apology for "Niles's Register," minimizing the charges of Bayard, and trying to explain them away.<sup>a</sup> He seemed to have forgotten his own letter to Burr, urging him to keep the game in his own hands, and to observe a conspirator's silence while hatching schemes for capturing the succession.

But there were his father-in-law, Charles Carroll of Carrollton, and all his fellow Federalists, looking beyond this election to the probable loss of the District of Columbia as a permanent seat of government. In a letter to his wife, January 15, 1801, Albert Gallatin remarks:

"Maryland is afraid about the fate of the Federal city, which is hated by every member of Congress without exception of persons or parties."<sup>b</sup> A French lady addicted to epigrams, who was in the Federal city at this period, observed that "Georgetown had houses without streets, and Washington streets without houses." Congressmen, according to Wolcott, had to live "like scholars in a college, or monks in a monas-

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<sup>a</sup> Published in "Niles's Weekly Register," January 4, 1823.

<sup>b</sup> "Life of Albert Gallatin," by Henry Adams, p. 254.

tery, crowded ten or twenty in one house."<sup>a</sup> Tom Moore's pleasantries respecting squares in morasses and obelisks in trees, with Goose Creek, and Tiber, and Modern Rome gone, are well remembered. But Gouverneur Morris was even more sarcastic than the Irish bard. "We want nothing here," wrote the Senator from New York, "but houses, cellars, kitchens, well informed men, amiable women, and other little trifles of this kind to make our city perfect."<sup>b</sup> Mrs. Abigail Adams discovered on her arrival, "here and there a small cot, without a glass window, interspersed among the forests."<sup>c</sup> Everybody seemed to be anxious to get away from "the Indian place with the long name in the woods on the Potomac."

No wonder that the Marylanders were demoralized. Having won the capital after a desperate struggle, they read its doom in the eyes of Congressmen, and knew, if no President was chosen, its loss was inevitable. This selfish fear alone made them desert Burr, although Jefferson did not get a single Federal vote from Maryland throughout the contest. Salutary fear also disciplined Mr. Bayard in a similar manner. His alarm for Delaware, not his patriotism, as he himself bluntly admitted, controlled his final action. To John Adams he thus wrote: "Representing the smallest State in the Union, without resources which could furnish the means of self-protection, I was compelled by the obligation of a sacred duty, so to act, as not to hazard the Constitution, upon which the political existence of the State depends."<sup>d</sup> That is, Delaware was threatened with extinction, and in order to save his little State, Bayard,

<sup>a</sup> Gibbs's "Administrations of Washington and Adams," II, 239.

<sup>b</sup> Sparks's "Life and Writings of Gouverneur Morris," III, 129.

<sup>c</sup> "Mrs. Adams's Letters," II, 239.

<sup>d</sup> Randall's "Life of Jefferson," II, 622.

who had voted thirty-five times for Aaron Burr, voted blank on the last ballot. Is it not sublime impudence on the part of political pamphleteers to set up a claim that James A. Bayard elected Jefferson President? If no President should be chosen before the 4th of March, the Government would be dissolved. A new convention of the States would next be called, and then a long farewell to Washington as the Federal capital. Poor little Delaware, shorn in such contingency, of her consequence in the Senate and House, would probably become a Borough of Pennsylvania. "The very word convention," wrote Jefferson to Monroe, "gives them the horrors."<sup>a</sup>

The preposterous claim that the Federalists elected Jefferson should never be advanced in any book claiming the respectable title of history. "He appears to have been indebted to them," says Dr. Randall in his "Life of Jefferson," "in the same manner and degree that he who is not blown up by a mine on which he stands, is indebted to the forbearance of his foe who could not fire it without rendering himself the first and certain victim."<sup>b</sup>

Eight States voted for Jefferson, six for Burr, and two were divided—making sixteen States, the whole number. If one more vote came to Jefferson, it would be enough to elect. From the first we now know, that Matthew Lyon would give that vote. Gouverneur Morris, Senator from New York, was entirely opposed to the election of a man as President who had not received a single vote of the people for the office. He was the uncle of Lewis R. Morris, the member from Vermont, who divided the vote of that State with Matthew Lyon. The

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<sup>a</sup> "Jefferson's Works," IV, 354.

<sup>b</sup> Randall's "Jefferson," II, 602.

Senator was able to control his nephew's vote. Why then, it may be asked, was it cast thirty-five times for Burr? The itch for office is the probable answer to that question. Jefferson thus explains it: "February the 14th. General Armstrong tells me, that Gouverneur Morris, in conversation with him to-day, on the scene which is passing, expressed himself thus: 'How comes it,' says he, 'that Burr, who is four hundred miles off, (at Albany,) has agents here at work with great activity, while Mr. Jefferson, who is on the spot, does nothing?' This explains the ambiguous conduct of himself and his nephew, Lewis Morris, and that they were holding themselves free for a prize; i. e., some office either to the uncle or nephew."<sup>a</sup>

The correspondence of Senator Morris makes it clear that he opposed Burr. December 19, 1800, in a letter to Hamilton, he said: "Since it was evidently the intention of our fellow-citizens to make Mr. Jefferson their President, it seems proper to fulfil that intention."<sup>b</sup> February 1, 1801, he said, in a letter to Robert Troup, speaking of the balloting of the States in the House: "One is divided, and one is doubtful, that is to say, it will be for Mr. Jefferson, or divided."<sup>c</sup> February 20, 1801, he wrote to Robert R. Livingston, and said: "I greatly disapproved, and openly disapproved, the attempt to choose Mr. Burr."<sup>d</sup>

Energetic efforts to capture the vote of Matthew Lyon in the profligate scramble were made. Jefferson charges that Bayard offered inducements of high office to Samuel Smith of Maryland, and tempted Robert R. Livingston of New York.

<sup>a</sup> "Jefferson's Works," IX, 202-3.

<sup>b</sup> Sparks's "Morris," III, 132.

<sup>c</sup> *Ibid.*, 150-151.

<sup>d</sup> *Ibid.*, 154.

"To Dr. Linn," he adds, "they have offered the government of New Jersey."<sup>a</sup> Aaron Burr, we learn on the same high authority, in conversation with Colonel Hitchburn of Massachusetts, said: "Why, our friends must join the Federalists, and give the President. 'But,' says Hitchburn, 'who is to be our Vice-President?' Colonel Burr answered, 'Mr. Jefferson.'"<sup>b</sup> Even if they succeeded in getting all these votes, the traffickers still needed Vermont to make the majority. They might as well have tried to topple the highest peak of the Green Mountains into Lake Champlain as to attempt to capture that State. Lyon was a born fighter of corruption and corruptionists.

I again quote Jefferson. He had invited Lyon to dinner at the President's house, and makes this note on one of the topics discussed: "December the 31, 1803. After dinner to-day, the pamphlet on the conduct of Colonel Burr being the subject of conversation, Matthew Lyon noticed the insinuations against the Republicans at Washington, pending the Presidential election, and expressed his wish that every thing was spoken out that was known; that it would then appear on which side there was a bidding for votes, and he declared that John Brown of Rhode Island, urging him to vote for Colonel Burr, used these words: 'What is it you want, Colonel Lyon? Is it office, is it money? Only say what you want, and you shall have it.'"<sup>c</sup> But like Horatius at the Bridge, Lyon stood firm, a host in himself, until finally Representative Morris, nephew of the anti-Burr Senator, withdrew from the House, and Lyon cast the vote of Vermont for Jefferson, giving him

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<sup>a</sup> "Jefferson's Works," IX, 202.

<sup>b</sup> *Ibid.*, 204.

<sup>c</sup> *Ibid.*, 204.

the ninth State, a majority, and electing him. "The Federalists," says Gallatin, "had but one proper mode to pursue, and that was for the whole party to come over; instead of which they contrived merely to suffer Mr. Jefferson to be chosen, without a single man of theirs voting for him."<sup>a</sup>

In addition to the fears of Bayard for his little Borough of Delaware, and of the Marylanders for the Capital, the whole New England delegations began to snuff danger to the North and South of them. The two boldest Governors in America, McKean in Pennsylvania, and Monroe in Virginia, were arming, and General Darke's brigade at Harpers Ferry was getting ready to march on Washington, and "know the reason why" Jefferson should not be President.<sup>b</sup> If any usurper had been chosen by the Federal rump, he undoubtedly would have been overthrown by an aroused people. "It was rumored," said Albert Gallatin in a letter to Henry A. Muhlenberg, written so late as May 8, 1848, "and though I did not know it from my own knowledge, I believe it was true, that a number of men from Maryland and Virginia, amounting, it was said, to fifteen hundred (a number undoubtedly greatly exaggerated), had determined to repair to Washington on the 4th of March for the purpose of putting to death the usurping, pretended President."<sup>c</sup> This of course he only meant in case the scheme had been carried out.

All honor to Matthew Lyon at this great crisis of American history. The Federalists under the arrogant orders of John

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<sup>a</sup> "Life of Gallatin," p. 263.

<sup>b</sup> Speech of John Randolph of Roanoke in the House of Representatives, January 31, 1817; "Annals of the 14th Congress," pp. 805-806.

<sup>c</sup> "Life of Albert Gallatin," p. 249.

Adams had thrown him into a dungeon to get him out of the way, but they could not keep him there, and were now confronted with a Democratic State in the hitherto solid phalanx of New England Federalism, the vote of which State was at last in the keeping and custody of this fearless Democrat. On every ballot Vermont gave one-half of its vote for Thomas Jefferson, and on the thirty-sixth or last one Lyon prevailed by the retirement of Morris, and placed Vermont with Virginia on the side of the man who was the people's choice for President. "The public mind," says the antiquarian, Pliny H. White, "was in the highest degree agitated with the contest. The House remained in session without formal adjournment," —(he might have added that John Randolph charged Bayard with bringing about this session or sitting in the vain hope of starving the Democrats into surrender,) "for seven successive days; and the excitement both in and out of the House rose to such a height as to render it absolutely necessary to the public welfare that the controversy should be ended in one way or another. The Federalists becoming convinced that it was impossible to elect Burr, reluctantly decided to allow Jefferson to be chosen. It was arranged that Mr. Morris should absent himself from the next balloting, which he accordingly did, and Lyon cast the vote of Vermont for Jefferson, giving him the ninth State that was needed to secure his election. He took considerable credit to himself for his vote."<sup>a</sup> And well might he do so. Like those who fought on Saint Crispin's day, that vote of patriots made them a "band of brothers." If Lyon lived for a hundred years, never again would it be in his power to

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<sup>a</sup> "Life and Services of Matthew Lyon," an address by Pliny H. White, p. 23.

render his beloved country so signal a service. If it were needed, but it is not, I might extend this chapter to undue limits by extracts from contemporary opinion, and the writings of others of subsequent periods, to prove that Lyon had routed the Federalists or Burrrites, and made certain the triumph of the great apostle of Democracy in that epoch-making struggle in the House of Representatives. "Colonel Matthew Lyon," says F. S. Drake in his instructive work commemorative of the worthies of the Republic, "gave the vote that made Jefferson President."<sup>a</sup> "The fact," says Charles Lanman, private secretary and esteemed friend of Daniel Webster, "of his (Lyon) giving the vote that made Jefferson President is well known."<sup>b</sup>

Colonel Lyon's second term in Congress terminated at the same time with Mr. Adams's term in the Presidency, which circumstance, and the signal part he took in the defeat of the old Braintree statesman, suggested to him a valedictory letter that he addressed to the ex-President. I like this letter as a piece of English composition better than Mr. Hamilton's celebrated letter on "The Public Conduct and Character of John Adams." It is less studied and elaborated, not as smooth in construction, and without Mr. Hamilton's rare skill as a dialectician. But its animus is better, its motive less unjustifiable, and its satirical strokes are more spontaneous and incisive. The graces of the schools did not belong to Lyon in nearly the same degree as they pervaded the rhetorical periods of Hamilton, but a native wit, a genuine pathos break forth now and again from the less cultivated but hardly less vigorous pen of the Vermonter that are missing in the statelier letter of the ex-

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<sup>a</sup> "Dictionary of American Biography," p. 571.

<sup>b</sup> "Dictionary of Congress," p. 368.



Secretary of the Treasury. I look in vain in Hamilton's cold and rather stilted sentences for anything as pungent as Lyon's description of the President's sycophants, who "furnished piping hot addresses every morning for breakfast," "studied your palate and changed the cookery of the dish oftener than your kitchen servants," and the Dean Swift-like sarcasm of the allusion to "Joe Thomas." "Your old friend, Joe Thomas, I am told, can scarcely find duds to cover his nakedness; I am surprised you did not make him a judge." The account of the "benevolent Mr. Ogden," and the President's rudeness to him, is in another vein, and proves Lyon an orator who could lay hold of the human heart and touch its hidden springs with natural eloquence. The letter is dated one minute after the close of the President's term of office, and in view of the cruel treatment its author had endured at the hands of Mr. Adams, and the dramatic ending of the fierce political battle between the two distinguished combatants, I am induced to reproduce it here in full, as a pendant to the election of Mr. Jefferson by virtue of the vote of the prisoner of Vergennes jail.

Letter from Matthew Lyon, late Representative in Congress from the State of Vermont, to Citizen John Adams.\*

"City of Washington,  
59 minutes before one, a. m.

March 4, 1801.

Fellow Citizen:

Four years ago this day, you became President of the United States, and I a Representative of the people in Congress; this day has brought us once more on a level; the acquaintance

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\*From the "Historical Magazine," December, 1873, vol. II, p. 360 *et seq.*

we have had together entitles me to the liberty I take, when you are going to depart for Quincy, by and with the consent and advice of the good people of the United States, to bid you a hearty farewell. This appears to me more proper, as I am going to retire, of my own accord, to the extreme western parts of the United States, where I had fixed myself an asylum from the persecutions of a party, the most base, cruel, assuming and faithless, that ever disgraced the councils of any nation. That party are now happily humbled in "dust and ashes, before the indignant frowns of an injured country," but their deeds never can be forgotten.

In this valedictory, I propose, without further ceremony, to bring to your view, a retrospect of some part at least, of your public conduct during the last four years. In doing this, I shall not trouble you or myself with the fair promises in your inauguration speech, nor those three volumes, in which is displayed your love of royalty and Great Britain. Your early endeavors to involve this country in an endless war, and draw forth her resources on the side of monarchy against republicanism, forms a trait in your history which much more deserves my notice. Your first speech to the Fifth Congress, containing groundless insinuations, that Charles C. Pinckney was authorized to discuss and investigate the demands of the French nation for redress, of what they called grievances, presaged with your retirement—and when looking over that speech I beg you to reflect on the base manner in which you abused Mr. Monroe, and the French government, because he had, according to his instructions, cultivated a good understanding with that government; and on your childish nonsense about dividing the people from the government. I hope, sir, you are not past blushing at what a school boy would be ashamed of. The people of

this country can never be divided from the government; you have brought yourself into hatred and contempt with them, but they never could be induced to view you and your executive officers as the government. No! The government they love and respect, and have accordingly put it into better hands. You will now have leisure, sir, to look over your second speech to the same Congress, when I hope you will recollect how you swelled and strutted when you were abusing the nation you were hypocritically pretending to make up differences with.

Look at the list of laws which you sanctioned that session, giving new and unconstitutional powers to yourself. You will have time to review all the fulsome addresses to you from a misguided multitude; I will not pretend to describe the sensations they will produce, when you reflect how they buoyed up your pride, flattered your vanity, and persuaded you the day was approaching and nigh at hand, when an hereditary crown would be offered you. Read over your answers, sir, which invoked more and more addresses, until the whole store of the folly and sycophancy of our country became exhausted. Pitiful indeed must be your feeling in passing home through the now Democratic State, New Jersey, which formerly so copiously furnished you with piping hot addresses every morning for breakfast; the servility of a few of their abandoned citizens studied your palate and changed the cookery of the dish oftener than your kitchen servants. Should you stop at Philadelphia how melancholy must it seem to you; McPherson's band of Cockade boys are dispersed or grown up into Democrats, no Federal mobs there now to sing Hail Columbia and huzzar for John Adams, and terrify your opposers. Hopkinson's lyre is out of tune, Cobbett and Liston are gone, the Quakers are for the living President, and your old friend

we can scarcely find duds to cover his  
you did not make him a judge.  
a digression, but let me advise you to  
Federal City, and land at the nearest port  
tolerance of your old confederates, all along  
and the silent contempt of the multitude,  
for you to bear, so soon after your fall, and  
of the little reason you have left.

to the review of your administration as re-  
endeavors to plunge the nation into all the horrors  
you found that the X, Y and Z fabrications did  
the people sufficiently to their own interests, and  
France would not be provoked by you to a  
of war; that they had prudently overlooked all your  
hapsodies, and offered to meet you in the work of  
negotiation, on the terms yourself had proposed, you in-  
the patience and good sense of the American people,  
withholding the public communication nearly throughout  
whole session of Congress, and then after some of your ter-  
negotiations, put the business of negotiation in such a train,  
has kept this country more than two years longer in a  
of half war which has destroyed some of the most valu-  
able branches of her commerce, and left the stable and essen-  
al article of tobacco in the hands of the planter, or obliged  
him to sell it at one-third of its real value to British specu-  
lators, who have five-folded the price to the French.

You came to the administration, sir, under the most  
favorable auspices at the time when if there were parties in  
this country, they were by no means hostile to each other;  
when the increasing revenue was sinking the public debt; when  
the Federal judiciary held a share of popularity in this country,  
and were regarded with respect; when the contributions

toward the public expense sat tolerably easy on the people, when this country was considered as an asylum for the oppressed of all nations, and there was a great influx of foreign riches, industry and ingenuity; when this country was happy in the freedom of speech and of the press; when the Constitution was considered a barrier against legislative, executive and judicial encroachments, and before the people were divided into castes of gentlemen and simple men; before offices, places and contracts, were considered as the exclusive right of the favorite caste. Reflect a little, sir, and see this awful change made in four short years. I will give you a slight view of it. You commenced your career, sir, by professions which promised to unite all honest men to you, but they were mere professions; your mad zeal for monarchy and Britain, your love of pomp, your unhappy selection of favorites, your regardlessness of the public treasure, the hard earnings of your fellow citizens, has divided the people into parties and fostered among them envy, malice and rancorous hatred towards each other; father has been set against son, and son against father, brother against brother, neighbors and friends have lost their former relish for the social enjoyments.

Under your administration, sir, a system of appointments has been established by which implicit faith in your infallibility and a knack of discoloring the truth became the only qualification to office, or to entitle a person to a contract.

Under your administration, sir, useless and expensive embassies have prevailed to an alarming degree. Offices and officers, almost without number, have been created and appointed, all out of the favored caste; while merit and abilities have been disregarded; capable, discerning and popular men have, by you and your minions, been discharged from the service of their country, without being vouchsafed a reason

for their degradation. Your administration, sir, has been famous for contracts; there is not a doubt but in future the secret records of your Navy Office will be studied by your friend Wm. Pitt, and those he wishes to give favorite contracts to; there the oldest and the wickedest British speculators may learn new modes of managing advantageously about contracts.

The judiciary, sir, under your untoward administration, have made alarming encroachments on the rights of man; they have adopted the British maxim of non-expatriation, in the face of every principle heretofore held dear in this country, and in contradiction to many of the State Constitutions. They have been endeavoring to introduce the crude, cruel, undigested, inapt and obsolete system of the common law into our national jurisprudence; and they have, in defiance of the express prohibition in the Constitution made pass for treason, a crime defined in laws by another name, and there decreed to be punished by fine and imprisonment. Your conscience recoiled at this; it seems you were not prepared for everything. Your old friend Hamilton abuses you for the only good thing you ever did in your life; he ought to have excused you, and recollected how your imagination had been tortured by the ghost of Jonathan Robbins. Your confederate in that case, Judge Bee, it seems you have provided well for in this world, but there is another world, to which you have sent poor Jonathan, where you must both meet him. May you by sincere repentance be prepared for that awful meeting.

Under your administration, sir, and with your consent, your fellow-citizens have had a heavy addition to the tax on salt; their houses and lands have been subjected to an unprecedented tax; a tax on licenses for selling the liquor but just before taxed; as well as an odious tax on paper, parchment and vellum has been instituted; and the taxes on some other


articles of consumption have been raised. These heavy and additional contributions have not sufficed you to have the command and disposition of: No. Many millions have been borrowed at an enormous interest, to satiate the appetites of the greedy courtiers for which the future earnings of your fellow-citizens stand pledged.

An Alien Law, sir, bears your signature, which unconstitutionally subjected to your sovereign will the liberty and banishment of every alien, whatever might be his connections in, and attachment to this country; and the terms of citizenship have been rendered almost inaccessible, by which the best disposed and the most able and useful emigrants have been deterred from coming to this country; and many have been obliged to fly from your vindictive wrath.

Perhaps in no one instance has our Constitution, our sacred bill of rights, been more shamefully, more barefacedly trampled on, than in the case of the passage of the bill called the Sedition Law. This, sir, was your darling hobby horse. By this law you expected to have all your follies, your absurdities, and your atrocities buried in oblivion. You thought by its terrors to shut the mouths of all but sycophants and flatterers, and to secure yourself in the Presidency at least; but how happily have you been disappointed,—the truth has issued from many a patriot pen and press,—and you have fallen, never, never to rise again.

It has availed you little, sir, to have me fined \$1,000, and imprisoned four months for declaring truth long before the Sedition Law was passed; to have Holt and Haswell fined \$200 and imprisoned two months each; the one for calling the late disbanded army a standing army, and the other for publishing the sentiments of your Secretary of War, in his letter to General Darke; to have Cooper fined \$400 and imprisoned

six months, because he resented your publishing his confidential application to you for an office he was truly worthy of. You complained of the breach of confidence in the case of Tench Coxe, but you had forgot your perfidy to Cooper. Those attempts to stifle an investigation of your conduct only accelerated your fall. When you have read thus far you cannot but recollect the benevolent Mr. Ogden, and your rudeness to him, that man who had formerly been your panegyrist, and who possessed as great a share of the milk of human kindness as ever filled the breast of man, who took a journey of 400 miles through the Northern regions, to carry the petitions of the Vermonters for their Representative, and to try his powers of persuasion on Mr. Adams. Mercy for his favorite friend was to be his theme. I told Mr. Ogden that you were vindictive and revengeful, and that he would be disappointed. His good nature would not suffer him to believe me. He tried the experiment; he failed; but how cruel was it of you, sir, to add insult to unkindness. After your refusing to comply with his request, he said you could not let him go without morosely telling him that you supposed it was in his behalf you had been solicited for an office in the Customs in Connecticut, and that his interference in behalf of Colonel Lyon had put it out of your power to do him any favor. Cruel indeed! It was enough to disappoint his expectations of flying to his imprisoned friend with the joyful news of his enlargement. It was too much to tell him his own hopes were all blasted; it broke his heart. Sir, he had not hoped so much on his own account as on account of the aged, unprovided widow of General Wooster who would have shared with him the emoluments. That office, I understand, was among the sacrifices your old friend, the General, made at the commencement of the Revolutionary war. But, sir, the good Mr. Ogden wants





no place now from you or any other earthly potentate. He has got a place in Abraham's bosom, and he no doubt looks down from heaven on you with ineffable pity and tender compassion.

It is a long time, sir, since I have intended myself the honor of at this time writing you a valedictory. I have, however, put it off from time to time, as we are apt to do about things that concern others more than they do ourselves. Inevitable business has caused me to neglect this duty until the last moment, when I have been obliged to hurry the thing over much against my inclination. You will be kind enough to pardon the many essential omissions I have necessarily been guilty of. There is no doubt but by the time you read thus far your conscience, seated as it is, will be ready to supply many of the defects of my memory.

I must finish my letter, sir, where you finish your administration, that is with your late nominations. I have been told, sir, that you have given one Secretaryship and four Judgeships for laying the ghost of Jonathan Robbins, besides Judge Bee's appointment; or, in other words, you give as a premium to the man who made the most learned and perplexing speech in your favor, the Secretaryship. It is a maxim with the lawyers and popish priests, I believe, that the greater the villainy to be exculpated from, the greater the fee.

The Secretaryship became precarious, the service rendered was great indeed, and not to be forgotten. The judiciary was the only permanent fund to be applied to, and so long as there was a brother or a sister to make claim, they, it seems, have been ordered to draw upon it until all were satisfied. The same fund has served you an excellent purpose for legacies to your poor and distant relatives, as well as for rewarding the tories who have been the firmest friends to your adminis-

tration. Through the whole of your late nominations you have proceeded, sir, as if you took counsel from the infernal regions. Some men, (who are not thought very highly of either,) have spurned your nominations avowedly to avoid the disgrace they confer.

I am told, sir, that when you was Vice-President you boasted that for the casting vote upon Mr. Madison's propositions you would not take ten thousand pounds. By your administration you have rendered that vote fatal to your country, and made it cost them millions. You seem now more than ever bent on mischief. Your vindictive spirit prompts you to do everything in your power to give the succeeding administration trouble; but you are as unfortunate in this as in most of your calculations. Your creatures are generally pliant reeds; they will bend to and fawn upon anybody that is in power. It was power they worshipped in you, not John Adams.

Come, pray sir, cool yourself a little. Do not coil round like the rattlesnake, and bite yourself. No, betake yourself to fasting and prayer awhile. It may be good for both body and soul. That is a safer remedy for an old man in your situation than the letting of blood.

Suffer me to recommend to you that patience and resignation which is characteristic of the holy religion you profess. I hope and pray that your fate may be a warning to all usurpers and tyrants, and that you may, before you leave this world, become a true and sincere penitent, and be forgiven all your manifold sins in the next. I repeat it, this is the sincere wish and prayer of your fellow-citizen,

M. LYON."

## CHAPTER VIII.

**WESTWARD HO!—FOUND S EDDYVILLE, KY.—COL. LYON'S SON CHITTENDEN—OTHER DESCENDANTS—SCHOOLS OF JEFFERSON AND MARSHALL—LYON'S RETURN TO CONGRESS—LEADING POSITION—VIOLENT PERSONALITIES BETWEEN JOHN RANDOLPH AND COL. LYON—AARON BURR—GERMS OF PROTECTIVE SYSTEM—LYON OPPOSES EMBARGO AND CONGRESSIONAL CAUCUS TO NOMINATE PRESIDENT—IN RETIREMENT—FACTOR TO THE CHEROKEE NATION—RE-ELECTED TO CONGRESS FROM ARKANSAS—HIS DEATH AT SPADRA BLUFF.**

**I**N his letter to ex-President Adams, Colonel Lyon announces his intention of removing from Vermont to the far Southwest. Governor Chittenden, his father-in-law, General Ethan Allen, his old commander in arms and family connection, and most of his intimate Revolutionary associates among the Green Mountain Boys had passed to their eternal reward. The John Adams or Chipman party had subjected Colonel Lyon to such persecutions during the alien and sedition reign of terror, and were still besetting his path with so many petty annoyances, that he determined to leave the beloved State to the service of which he had given the best years of his life. His departure was a notable event in the history of Fair Haven. The people gathered in sorrow to say farewell to the founder and father of the town. Among them was a youth who was so deeply impressed with the scene that he was able seventy years afterwards to recall in

a letter to the author of the History of Fair Haven the white canvassed caravan of Matthew Lyon as it wound its way along Poultney river on the long journey to the more primitive settlement in the forests of Kentucky. This was the venerable Rev. N. S. S. Beaman, D. D. In a letter, written when he was 84 years of age, the Reverend Doctor says: "I knew Col. Matthew Lyon, and when I was quite a small lad I was intimately acquainted with his family, especially with one of his sons, Chittenden, named, I suppose, from Governor Chittenden. We all familiarly called him 'Chit.' He was a bright boy, but inflammable and impulsive as a torpedo or a witch quill. I came very near becoming involved in an Irish row with him because I modestly declined pledging him in a 'brandy smash,' in improved modern parlance, then called a 'brandy sling,' which he had paid as one of the heads of opposite parties in a game of base ball.

"Of the other children of Colonel Lyon I knew less than of 'Chit,' because we were about of the same age, he being less than one year older than myself. The family removed to Kentucky, then known as 'the new State.' I well remember watching the emigrant wagons, as they passed through Hampton, making a fine display of their imposing white canvas, proclaiming their departure to the great unknown Southwest. It was a thing to be remembered and talked about.

"Colonel Lyon's wife was highly spoken of, and they had one daughter famed for personal beauty and many accomplishments. My impression is that she and others died soon after arriving in Kentucky. Colonel Lyon was a member of Congress from Vermont, and was re-elected from his new residence. He was a native of the Green Isle of the ocean,

and possessed all the qualities of his race. He had talents, but they were rough and unhewed from the quarry, and would have appeared more comely in the eyes of most men if he had been subjected to the polish of the chisel."<sup>a</sup>

The Federalists had created a public opinion that Matthew Lyon was, as this reverend writer calls it, "rough and unhewed," but those who knew him better appreciated his strokes more than those of commonplace college bred men, no matter how much polished by the chisel. The distance between mediocrity and genius is immeasurable. The man against whom John Adams staked and lost the whole power of his administration had achieved his victory largely by his pen. The eloquence which, according to Thompson, electrified the Old Council of Safety and carried through Ira Allen's bill of confiscation against the Tories; which rebuked the insolence of a Connecticut Congressman in the debate on the motion to excuse Lyon from attendance in the procession that packed through the streets to answer the President's speech, and made that Puritan gentleman's appeal—Allen, I think, was his name—to "high blood" and "American accent" the occasion for the repudiation of Salem witchcraft, New Haven blue laws, and "Cromwell's bastards," very clearly proved that Matthew Lyon's tongue was as ready as his pen, and as fearless and tripping as the best of them. At a scolding match he did not lower his colors even before the Ithuriel spear of John Randolph himself. But Dr. Beaman's description of the emigrant train is interesting as the testimony of an eye witness. Colonel Lyon was in his element as a pioneer. Daniel Boone

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<sup>a</sup> "History of Fair Haven, Vermont," by Andrew N. Adams, pp. 273-274.

was not more at home than he in the primeval forest, the vast wilderness, the frontier line just beyond the outskirts and haunts of civilization. I have often followed in fancy the Colonel on his long journey from Vermont to Kentucky. Leading his numerous retinue across the mountains of Pennsylvania, thence the following spring embarking with them down the Ohio and up the Cumberland to Eddyville, this pioneer it seems to me may have been in the mind of Leutze when he depicted just such a scene on canvas. The visitor to the National Capitol has perhaps paused before Leutze's picture of "Westward Ho," hung upon one of the landings of a staircase approach to the gallery of Congress. The pioneer has reached a mountain summit and gazes enraptured on the promised land to the west. As he scales the rugged eminence his animated spirit seems to infuse new life into the wearied emigrants, and suggests appropriately the struggles and hopes of that hardy race of American pioneers with which the great West has been populated. Never has one set out who carried with him more of the founder's soul of pious Aeneas than Matthew Lyon on his way to establish the town of Eddyville, Kentucky.

After Nashville and Clarksville, this town became the busiest emporium of trade on the Cumberland river. It so continued until the dawn of the railroad era. The mammoth steamers plying between New Orleans and Nashville made Eddyville a principal landing place. There came for shipment the teeming products of the rich back counties of Christian, Caldwell, Hopkins and other counties of that fertile region, their tobacco and corn and fat cattle crowding the busy wharves and occupying days in loading, while one round

festivities after another in the spacious saloons of the steamers made a very fairy land of those floating palaces. Steamboat officers on the Mississippi and Western rivers were in a race apart of right royal entertainers.

After the adjournment of Congress in 1801 Colonel Lyon passed some weeks in Virginia at the country seat of his friend General Mason, and continuing his trip made a prospecting tour through Virginia, North Carolina, Tennessee and the Northwest. He stopped for some time at the Hermitage with his friend, General Andrew Jackson, and it is said that it was by his advice he was influenced in the selection of his future home. Mrs. Roe informed me that in her childhood she frequently saw General Jackson when he visited her father's house at Eddyville, and Mr. L. E. Chittenden of New York, former Register of the Treasury in the days of Abraham Lincoln, stated in a letter to me in 1883 that it was largely due to Andrew Jackson that Matthew Lyon emigrated from Vermont to Kentucky. Hildreth, in his "History of the United States," has several references to the intimacy between the two famous men. A few years later when Aaron Burr was plunging into treason, it was in Colonel Lyon's power, and he spared no efforts to break the spell of Jackson's infatuation or that strange and magnetic plotter whom Hamilton truthfully described as the American Cataline.

I must make a farewell quotation here from a writer whom I have had frequent occasion throughout these pages to mention, Rev. Pliny H. White. This gentleman's accuracy as a chronicler I have always admired, and his conception of the character of Matthew Lyon is in the main correct, although his want of acquaintance with facts and particulars in Lyon's

early life somewhat detracts from his biographical address upon him before the Vermont Historical Society. Referring to Lyon's departure from Vermont, Mr. White says: "He made a tour to the West and South in search of a new home, passing through Virginia, Kentucky, Tennessee and the Northwest territory, and everywhere receiving marked civilities, public and private. He selected what is now Eddyville, in Lyon county, Kentucky, as the place of his future residence. Here he removed a part of his family with some other Vermont families, which he had persuaded to emigrate, and commenced building the town, which having fairly started, he brought out the rest of his family and a number of other families."<sup>a</sup>

The first contingent, besides artisans, to arrive in Kentucky of the Lyon colony was chiefly made up of the members of the family by his first marriage, James Lyon, his two married daughters with their husbands, John Messenger and Dr. George Cadwell and their families, and Loraine, the youngest daughter of his first wife, or Laura, as Mrs. Roe calls her in the volume entitled "Aunt Leanna, or Early Scenes in Kentucky." Colonel Lyon returned to the East and removed the other members of his family to Kentucky, consisting of his second wife, daughter of Governor Chittenden, and her young children, and several other Vermont families, determined to follow the fortunes of Lyon in the new country. The beautiful young Loraine, favorite child of Colonel Lyon and grand niece of Ethan Allen, after whose daughter she took her name, fell sick soon after her arrival at Eddyville, and

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<sup>a</sup> Address of Rev. Pliny H. White on the "Life and Services of Matthew Lyon."



died during her father's absence in the East. This was the first death among these settlers that occurred in Kentucky. Mrs. Roe, in the book mentioned, gives an interesting narrative of the expedition in which so many Vermonters accompanied her father to the Southwest. Many of his friends at Fair Haven asked him to take them in his train. After duly considering the project, and his means of carrying it out, Colonel Lyon assembled his Fair Haven neighbors around him, and laid before them an outline of his plans. I subjoin from his daughter's book, Mrs. Roe, the following interesting particulars: "Our pioneer looked upon them with feelings he dared scarce to express. At length, after weighing and considering the matter in his own mind, and examining his purse, he made them the following proposition: That he would take as many mechanics as would go with him, with their families, defray their expenses on the journey, and deed them a home on their arrival; and they should work for him at a reasonable compensation, until they paid him for the same. In consideration of these inducements ten families concluded to go with him, and seek their fortunes in the far-famed West. Accordingly arrangements were made, and they bid farewell to the land of steady habits and all that was dear to their hearts there, and started for their new home in the romantic wilds of Kentucky. They traveled as far as Pittsburgh that fall (1799), and there remained through the winter. The mechanics were employed during the winter in constructing flat-boats."<sup>a</sup> Mrs. Roe next conducts the emigrants down the Ohio, and thus continues:

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<sup>a</sup> "Aunt Leanna, or Early Scenes in Kentucky," pp. 17-18, by Mrs. Eliza A. Roe, Chicago, 1855.

"One pleasant morning about the 1st of July 1800, as the Colonel was promenading the deck, he said: 'Madam Lyon,' (this was his customary manner of addressing his wife) 'if you will come this way I will show you the first sign of our new home. Do you see those bluffs in the distance?' 'I do,' said she. 'Well, at the foot of those, in a beautiful bottom or valley, our Western home is situated. . . . There, there,' added the Colonel, 'I see the large sycamore tree that stands on the banks just where we must land. Boys, we will give them a few guns to let them know we are coming.' The gun they had with them was a small cannon—one that was used in the Revolutionary war—the report of which had brought to the bank of the river all the inhabitants of the settlement.

"'It is they! It is they!' said Mrs. Messenger, who was the Colonel's oldest daughter. 'It is just like father to fire those guns.'

"'It is they without doubt,' said Mrs. Cadwell, 'and who shall break to them the sad intelligence of the death of dear Laura?' 'I cannot,' said Mrs. Messenger and Mrs. Cadwell, both at the same moment.

"'I will save you both the painful task,' said Dr. Cadwell, who was the husband of the second daughter, and Laura's physician."

Colonel Lyon and his wife, when they landed, were taken aside by Dr. Cadwell, who in as gentle a manner as he could employ broke the sad news to them. The death of his beautiful daughter pierced as with a sword the heart of the grief-stricken Colonel. "After a visit to Laura's grave," says Mrs. Roe, "they became composed and began to think of the future."<sup>a</sup>

<sup>a</sup> *Ibid.*, p. 23, *et seq.*

Dr. Cadwell and Mr. Messenger remained in Kentucky only a few years. They removed with their families to Illinois. Mrs. Roe, who was an ardent abolitionist, assigns negro slavery as the cause of their departure. She makes this further remark which, if correct, adds a bit of history highly interesting to the people of Illinois: "Twice in his life did Dr. Cadwell give the casting vote in the Legislature of Illinois on the subject of slavery, and the last time the matter was settled permanently in favor of freedom."<sup>a</sup>

Of James Lyon, the Colonel's oldest son, who had acquired the printer's trade at Philadelphia under his father's illustrious friend Benjamin Franklin, and next was a busy man of affairs at Fair Haven, I have gleaned further particulars from various letters written by his father, his brother Chittenden, and by no less a personage than Thomas Jefferson, with whom James Lyon was well acquainted. After living at Eddyville for many years he removed to South Carolina, where he passed the last years of his life. I think it probable that he was the same person referred to by Matthew S. Lyon of Evansville, Indiana, in a letter written to me by the latter gentleman in the year 1881. Reference to this letter is made in a former chapter. An unfinished autobiography left by old Colonel Lyon, after having been gnawed by mice in the attic, finally fell into the hands of this grandson, Matthew S. Lyon, who could not possibly decipher it. "Some years later," he says, "the MS. was taken by a relative of his (Mason R. Lyon, I think) to Alabama. If I am not mistaken this Lyon was engaged in

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<sup>a</sup> *Ibid.*, p. 44. Mrs. Roe's book was the first Abolition story published in this country. The first edition appeared many years before the second.

providing a message. I think he gave up the idea of swanning & himself as I have never heard anything from him or his wife. The testimony answers James Lyon, and although my correspondent mentions no name conjecturally as Maria L. Lyon, it is not unlikely he really meant James. In a letter from N. H. May 4, 1861, he recalls me in two paragraphs of his grandfather's autobiography less minutely than the rest. This one is particular in relation to Matthew Lyon's departure when a boy from Ireland struck me as very graphic: "He says in his M. L. that in the grey light of the morning of the day fixed for the departure of the vessel he bawled up his little efforts, stole into the chamber of his mother, kissed a last kiss while she slept, and before the tears were dry on his boyish cheek, the vessel had spread her white wings and turned her prow to the land of promise which beckoned him on with an inscrutable force to his fate, whatever it might be, in the new world."

In January, 1805, Matthew Lyon wrote from Washington to his old friend at Fair Haven, Judge James Witherell, and informed him that his son James Lyon was engaged in ship-building on his own account at Eddyville, and by good luck and business management had made considerable money. Some years later James had it in his power to aid Mr. Jefferson in hunting down a rascal who had attempted to swindle the venerable ex-President, as the following interesting letter discloses:

"Monticello, September 5, 1811.

"Sir.—I enclose you the copy of a letter from a James L. Edwards, of Boston. You will perceive at once its swindling object. It appeals to two dead men, and one (yourself) whom

he supposes I cannot get at. I have written him an answer which may perhaps prevent his persevering in the attempt, for the whole face of his letter betrays a consciousness of its guilt. But perhaps he may expect that I would sacrifice a sum of money rather than be disturbed with encountering a bold falsehood. In this he is mistaken; and to prepare to meet him, should he repeat his demand, and considering that he has presumed to implicate your name in this attempt, I take the liberty of requesting a letter from you bearing testimony to the truth of my never having made to you, or within your knowledge or information, any such promise to yourself, your partner Morse, or any other. My confidence in your character leaves me without a doubt of your honest aid in repelling this base and bold attempt to fix on me practices to which no honors or powers in this world would ever have induced me to stoop. I have solicited none, intrigued for none. Those which my country has thought proper to confide to me have been of their own mere motion, unasked by me. Such practices as this letter-writer imputes to me would have proved me unworthy of their confidence.

"It is long since I have known anything of your situation or pursuits. I hope they have been successful, and tender you my best wishes that they may continue so, and for your own health and happiness."<sup>a</sup>

The descendants of Colonel Lyon have been numerous, and well and favorably known in Kentucky and other States. The most distinguished of them was his son Chittenden Lyon, a prominent member of Congress during the administrations of

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<sup>a</sup> Letter of Thomas Jefferson to James Lyon, "Works of Jefferson," VI, 10.

General Jackson. Lyon county took its name from him, and the people of Kentucky held him in honor and affection. His nature, like that of his father, was bold, generous and chivalric. In stature he was a Hercules, and one of the handsomest men of his time. I was anxious to procure his picture for this volume, and sought for it in vain from several of his descendants. His son Matthew S. Lyon, of Evansville, Indiana, in the letter already mentioned, says: "There is no likeness of my father in existence. He died before photography came in, and while in politics, unlike some of our men of mark, he had no ambition to see his picture in public places. His fine, manly and handsome face (he was the finest looking man I ever saw) would have made a splendid picture. He died at fifty-four, and had not a wrinkle on his face. His weight was ordinarily 240 pounds." I was in the end fortunate enough to obtain the picture which this son did not think was in existence, but Col. E. C. Machen, his grandson, procured a good pencil sketch or etching of Chittenden Lyon from a member of his family in the West, which is reproduced in these pages.

Another of his sons, the late Thompson A. Lyon of Louisville, who aided me more than any other person in collecting data and materials for this biography, thus wrote in reply to my question as to the accuracy of Rev. Dr. Beaman's description of his father, Chittenden Lyon, as a "torpedo" or "witch-quill:" "From all I have heard, together with my recollection of my father, I am inclined to think that Dr. Beaman's account of his youth is correct. He was a 'broth of a boy,' with so much of the blood of his father, that he was ever ready for a hand to hand fight on the shortest notice. When I



CHITTENDEN IVON.





was a boy my father was known and called by everybody, old and young, 'Uncle Chit.' He was universally popular and greatly beloved. A prominent characteristic of his was to take sides with the weaker party in any difficulty." He was a man of wealth, and great energy, and business ability. When his father in his latter years was embarrassed in his pecuniary affairs, this noble son came to his relief, advancing over \$28,000, at that time an immense sum, out of his own pocket to discharge the liabilities. His habits were more convivial than his father's, and he would pass the social glass freely. But Matthew Lyon was a strictly sober man, while Chittenden Lyon, though not dissipated, kept a generous side-board, and indulged in moderate potations. The unamiable John Quincy Adams speaks of him in his Memoirs rather spitefully, and describes a debate in Congress at 2 o'clock in the morning, with Chittenden Lyon addressing the House "as drunk as a lord."\* The son of Matthew Lyon was hardly a favorite of the son of John Adams, but whatever the vitriolic John Quincy Adams thought or said, the fact is undisputed that Chittenden Lyon was a man generally and justly esteemed and loved, and every Kentuckian had a soft place in his heart for "Uncle Chit." I subjoin a letter of his which contains family history of much interest:

"House of Representatives,

Washington, D. C., April 5, 1828.

To Hon. James Witherell:

Dear Sir.—Your esteemed favor of the 17th ultimo was received this morning, and letter contained therein was handed to Colonel Watson.

\* "Memoirs of John Quincy Adams," VIII, 532.

It gives me great pleasure to receive this attention from the long and much valued friend of my lamented father, and brings to my mind the scenes of my childhood. I well recollect you and your family, and regret to learn that so many of them have, like my own connection, 'gone the way of all flesh.' You enquire after my mother. She is no more; she survived my father about 18 months, worn down with grief and affliction for the misfortune and death of her husband and two children in less than two years; but she found consolation and resignation in religion. She had been for the last twelve years of her somewhat eventful life an exemplary member of the Methodist Episcopal Church, and died in full hope and faith of sleeping in the arms of her God. My eldest half-brother, James Lyon, died in South Carolina about four years since, poor. My eldest half-sister, Ann Messenger, and her family reside in Illinois near Belleville. Her husband is in comfortable circumstances, and very respectable. Sister Pamela resides in the same State; her husband, Dr. Geo. Cadwell, died some two years since, leaving seven unmarried daughters, and no son, (his only one having died some years before him) in moderate circumstances. My half-brother, Elijah G. Galusha, resides in Kentucky, near me. He married the daughter of Mr. Throop, and is a poor farmer. My eldest own sister, Minerva, resides in Beavertown, Penn. Her husband, Dr. Catlett, late surgeon in the United States Army, died a little more than three years ago, in moderate circumstances. My sister Aurelia died about nine months before my father, leaving two orphan children. Her husband, Dr. H. Skinner, died about two years before her, and left a pretty little estate for their children. My brother Matthew lives

within two miles of my residence, (Eddyville, Ky.,) and is doing very well—in fact, getting rich, for he minds the main chance and dabbles but little in politics, but is a candidate for elector on the Jackson ticket. My sister, Eliza Ann, born in Kentucky, resides also in the State of Illinois. She married a worthy man, but poor, and moved to that State about one year ago. My youngest brother, Giles, also born in Kentucky, and who lived with my mother, died in the 20th year of his age, about five months before my mother.

Of those who went with or followed my father, besides our family, G. D. Cobb, who married Modena Clark, resides at Eddyville; has a large and respectable family, but is reduced in his circumstances in consequence of losing a valuable farm, which was taken by a prior claim after a long law suit, which he had highly improved. Captain Throop has been dead many years; he died as he lived, poor. His wife, second daughter, and youngest son went to her brother, Samuel Vail, at Baton Rouge, La., and are all dead. His eldest son, John, resides at Eddyville, a vagabond. His daughter, Betsy, is a widow. Samuel C. Clark resides with G. D. Cobb; is poor, and has lost one leg, amputated close up to the body; and last, old General Whitehouse, whom you no doubt recollect, followed my father to Kentucky, and survived both my father and mother, and several of the younger branches of the family, died about eighteen months since, having been a charge on my hands for many years.

In answering your enquiries I have necessarily been led into a long, and to you, somewhat uninteresting letter, while a long speech was making upon the Tariff bill, which is still under consideration in the House of Representatives.

I have had a severe indisposition since my arrival here, which confined me near a month, but I am now perfectly recovered. I have had the misfortune to lose my wife since I left home. She died on the 4th of February, and has left me a family of five young children, the eldest 10 years, the youngest 3 months and 4 days.

Please present my respects to your good lady.

Very respectfully, your obedient servant, .

CHITTENDEN LYON.\*

This worthy son of a worthy father died at the comparatively early age of fifty-four, on the 23d of November, 1842. One of his daughters, to whom the heritage of beauty in a marked degree belonged, Miss Margaret A. Lyon, married Mr. Willis B. Machen, who became a Senator in Congress, and in the election of 1872 received the electoral vote of Kentucky for the office of Vice-President of the United States. Wishing to procure a brief sketch of this grandson by marriage of Matthew Lyon, I requested a Kentucky gentleman who was well acquainted with Mr. Machen, to send me a short account of his life, and from his interesting letter the following extracts are taken:

"Eddyville, Ky., November 22, 1899.

Hon. J. Fairfax McLaughlin,

New York City:

Dear Sir.—Replying to yours of recent date, it gives me very great pleasure to furnish the information you desire.

Hon. Willis Benson Machen was born in Caldwell (now Lyon) county, Ky., April 5, 1810, and died September 29, 1893. All his life was spent in Lyon county.

\* A. N. Adams's "History of Fair Haven," pp. 424-425.



WILLIS B. MACHEN.



There can be no question but what the absolute respect of all who knew him fixed his status as a pure-minded Christian gentleman in the highest sense of the word. He drew the strong and weak alike to him through his manliness as a man, his tremendous force as an individual, and his fairness under all circumstances. He never temporized with wrong in the slightest degree. He was never known to shirk a duty, be it great or small. Even his political opponents always accorded to him honesty of belief and integrity of purpose. He despised trickery and this quality in him made it impossible for him to live in that retirement best suited to his temperament. He had no natural taste for public life, though he was pushed into positions of trust in matters of church and state. Where large affairs of business requiring force of character, tact, skill, experience, foresight, and immense energy were involved, he was generally selected by the courts to take charge of them, and some of the largest and most complicated estates in this section of country were handled by him with consummate skill. No taint of suspicion ever crossed his private life, nor was any impurity of motive ever imputed to him by those who knew him.

His mind and abilities were of a high order, and from comparative obscurity, such as life on the frontier necessitated in his youth, he rose upon his own merits to prominence, because his neighbors who knew him best instinctively turned to him when counsel or leadership were needed. He was always a Jefferson-Jackson Democrat, and in early manhood was a pronounced factor in framing the Constitution of Kentucky. His unquestioned leadership as a layman in the Methodist Church (South) was attested by his regular selection as a delegate to

their annual and quadrennial conferences. His advice was seemingly indispensable in affairs of that denomination.

First as a member of the convention which framed the Constitution of Kentucky, afterwards as a member of the State Senate and House of Representatives, then as a member of the Confederate Congress, afterwards a Senator of the United States from this State, he was always the same courtly gentleman, holding the respect of his political opponents, and the admiration and affection of his friends and allies.

He married Margaret A., a granddaughter of Col. Matthew Lyon, and the writer heard this from the lips of the late David Watts of your city, who became the head of the foremost tobacco house of its day: 'When I stood up with Willis Machen as his best man, he and his bride were the handsomest, the most aristocratic looking, and best matched couple I ever saw in my life.' This was said after Mr. Watts had had great opportunity to see people in all the great centers of the world. He added: 'My opinion has never changed.'

Colonel Machen won his way in the world by force of his own character, though he was justly proud of his ancestry, and here where he is buried he is mourned by all who knew him as one of the tenderest, and yet one of the fairest and firmest of men; an honor to his State and his country, and the pride of the community in which he spent a lifetime.

In one of the Democratic conventions (I do not recollect which), he was presented and voted for by the Kentucky delegation as their choice for Vice-President.

He was the most thoroughly self-respecting man I ever knew, without a taint of self-consciousness or self-importance that repels people.



In all the relations of life he measured up to the best traditions of American manhood and Christian requirement. As son, husband, father and friend, he was ever considerate of and true to the relation. While he was not the eldest of a large family of brothers and sisters, he was the foremost, though all were conspicuous leaders in their circles and communities.

Mr. Machen was born and bred in this county, and I have often heard him tell of his taking the products of his father's farm to New Orleans on flatboats built in Matthew Lyon's old shipyard, and walking back, 1,100 miles, with the proceeds of the same in his pocket. This was before the days of traveling facilities, when it required both intelligence and stamina of a high order to meet the requirements of the time. Mr. Machen afterwards became joint proprietor of iron furnaces, and a forge from which were turned out great sugar kettles for the Louisiana planters, and it was at a furnace once owned by him that Wm. Kelly invented what is known as the Bessemer process for making steel. After many years of waiting for the proper recognition of his invention, during which Bessemer reaped an enormous fortune, investigation showed so unmistakably that Kelly was the inventor, Congress recognized his claims by extending the patent in this country for seven years, thus giving Kelly a fortune that came from royalties. But few people know while traveling over the finest railroads in the world, that the process of making the rails was invented in Lyon county.

Taken all in all, certainly this generation in this community will not look upon W. B. Machen's like again. Perhaps no man that ever lived in the community will be more missed by God's poor than he, and according to that Christianity which

he professed and practised all his life, when Willis Machen passed over to a beautiful beyond, Lazarus must have waited with outstretched arms to welcome him to the other shore."

A picture of Senator Machen, which my correspondent was good enough to send me, is reproduced in this volume.

The late Thompson A. Lyon of Louisville, Kentucky, to whom, I repeat, I am more indebted for original materials in the preparation of this book than to any other person, was a grandson, as is also his former business partner, Mr. John H. Roe, of old Colonel Lyon. These two gentlemen were the agents for Kentucky and Tennessee of the Equitable Life Assurance Society of New York. Mr. Thompson A. Lyon had been in impaired health for a considerable time before his death, which took place in New York at the residence of his nephew, Col. E. C. Machen, in that city on the 13th of August, 1899. I called on him at the Waldorf-Astoria hotel a few weeks prior to his decease, and he expressed a warm desire to read the advance sheets of this volume. I sent them to him, and Colonel Machen, who had in the meantime removed his uncle from the hotel to his own residence, told me that he read them with the keenest interest. Never have I witnessed more tender devotion to an invalid than this nephew showed throughout. Everything that medical skill, unwearied nursing, and love could bestow was lavished by him on Mr. Lyon. Mrs. Lyon was summoned from Louisville, and reached New York in time to give her fond ministrations to her stricken one, and soothe the last hours of a noble and devoted husband. His remains were carried back to Kentucky for burial among his kindred. The qualities of Thompson A. Lyon were marked. His love of truth, desire to serve and oblige others, straightforward



EDWARD C. MACHEN.



methods, and great industry, reminded me very much of all I had read of his grandfather, and to his zeal and indefatigable industry am I, and are my readers indebted for many of the lost threads which he rescued from oblivion, and furnished for this biography.

Other descendants there are of note, deserving of a place in these pages. General Hylon B. Lyon, of Eddyville, is a grandson of Colonel Lyon. A graduate of West Point in the class of '56, a brave officer in the United States army, who saw service in Florida, California, Oregon, Washington Territory, Idaho and Montana, and who joined the Confederate army in 1861, he was at the close of the civil war in command of the Department of Western Kentucky. Frank Lyon, a son of the General, is a lieutenant in the United States navy, and on board the Oregon took part in the glorious sea fight off Santiago. Still another great-grandson of Matthew Lyon is the Hon. William P. Hepburn of Iowa, one of the leaders of the Republican party, and a conspicuous member of the present Congress. Mr. Hepburn, like his distinguished ancestor, is a man of national reputation.

There is some account of Colonel Lyon in that extremely rare book, "A Pioneer History of Illinois," by Governor Reynolds, a copy of which I once happened upon in the hands of Mr. Charles L. Woodward, who, since Sabin, is the leading authority in Americana among the New York book-sellers. I was frightened off by the price of the little volume, twelve or fifteen dollars, but the unique Mr. Woodward, who is as original in his ways as he is deep in the mysteries of first editions, addressing me by a nickname which he had somehow come to bestow on me, said: "Here, Mr.

Adirondack, if you don't want to buy it, borrow it," and thrust the book upon me.

I subjoin an extract from Governor Reynolds's pages:

"In the year 1799 sailed down the Ohio river Matthew Lyon and family, with John Messinger and Dr. George Cadwell, and their respective families. These last two named were the sons-in-law of Lyon, and all settled in Kentucky. Messinger was a good mathematician, and wrote a manual or handbook intended for convenience in practical surveying. Messinger and Cadwell left Kentucky in 1802, and landed in the American Bottom not far from old Fort Chatris. They settled in Illinois.

"Matthew Lyon had obtained a considerable celebrity as a member of Congress, from the State of Vermont. He was a native of Ireland, had been in the Revolution, and was a warm advocate of Thomas Jefferson and Republicanism, against John Adams and Federalism. He possessed some talents, and much ardor and enthusiasm. While he was in Congress he had a difficulty with a member of the Federal party and spit in his face. He was up before Congress for contempt; but speeches were the only result. He was extremely bitter against the administration of Adams, and he was fined and imprisoned under the alien and sedition laws. While he was in prison, in the State of Vermont, his friends elected him to Congress, and took him out of confinement, to serve them in the Congress of the United States.

"He represented his district in Congress from Kentucky for several terms; and was always, during a long and important life, an excessively warm and enthusiastic partisan in politics. He was at last appointed an Indian agent for the Southern

Indians, and died there at an advanced age. Long after his death Congress paid back to his heirs the fine he paid with interest. It was considered in Congress that the fine was paid under a void law, and that it was due to principle as well as to his descendants, to refund the amount paid and interest. I voted in Congress to refund the fine and interest to his heirs.

"Matthew Lyon was a droll composition. His leading trait of character was his zeal and enthusiasm, almost to madness itself, in any cause he espoused. He never seemed to act cool and deliberate, but always in a tumult and bustle, as if he were in a house on fire, and was hurrying to get out. His Irish impulses were honest, and always on the side of human freedom. This covers his excessive zeal." Governor Reynolds evidently had but slight knowledge of Matthew Lyon.

In looking over the Edwards Papers in the Chicago "Historical Society's Collections," Vol. III, I observed a reference to Lyon, and the following foot note, p. 28, "Lyon was an Irishman who emigrated to America in 1759, and founded the town of Fairfield, Vermont, in 1783. This was the town in which Chester A. Arthur was born." The note is continued on the next page, 29, and is as follows: "It might be added that he (Lyon) went to St. Louis in 1811, and in 1812 became a candidate for delegate to Congress from Louisiana Territory, but was beaten by Edward Hempstead." The year of his arrival in America was 1765, and the town he founded is Fair Haven. His going to St. Louis, and unsuccessful candidacy

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\* "A Pioneer History of Illinois; Containing the Discovery in 1673, and the History of the Country to the Year 1818, When the State Government was Organized." By John Reynolds. pp. 276-277. Belleville, Ill. Published by N. A. Randall, 1852.

for Congress in the Louisiana Territory are interesting facts, some reference to which is found in Lyon's correspondence.

The following letter from Colonel Lyon was addressed to Ninian Edwards:

"Washington, February 10, 1804.

Dear Sir.—Your favor of the 18th ult. came to hand yesterday. I am sorry my letter from here did not reach you before you despaired of hearing from me, not so much on Dr. Catlett's account as some other considerations.

When I came here I had in view to recommend the doctor for the place of Secretary of the new Territory to be formed in Upper Louisiana. There are so many candidates that I had almost given it up. The talk now is to annex to Indiana Territory for the present all down to N. Madrid, below that until it comes opposite to Fort Adams to the Natchez Territory, so form one new Territorial Government.

The Doctor's concern with victualing the army has led him to wish for an appointment of Surgeon's Mate; for this I wanted no additional interest, and was happy accidentally to find John T. Mason capable of giving his character. Should I think of anything further for him I may apply to Mr. Wirt.

Georgia cession has occupied Congress the three last days, and the question (which is, shall our Commissioners proceed with the compromise?) is not yet taken. Mr. Randolph says no; he had rather give it back to the Indians; he had rather the United States should lose the whole in a law suit; he had rather call out the National force and spend the National treasure to defend it. Other Southern members say they don't wish for the compromise; they are satisfied to have the country remain uncultivated.



I fancy that the Southern gentry begin to be alarmed for their markets. They begin to see that in proportion as the Western country grows in population and industry, their markets for tobacco, flour and cotton will be overstocked; the Northern people want our cotton, hemp and lead, and they don't care how much other produce we have to spare, as they intend to be the carrier.

The horrid kind of government first-proposed for the new acquired Territory may perhaps be imputed to this jealousy.

I am, sir, with great respect,

Your very humble servt,

MATTHEW. LYON.

Hon. Ninian Edwards."

In the year 1802 Livingston county returned Matthew Lyon to the Legislature of Kentucky, where he figured so prominently, that at the next election, in 1803, he was elected to Congress, and was continuously re-elected to that body until 1811. How different was the situation of political affairs on his return to Washington from that in which he was placed when last a member of Congress. Now he was not only on the majority side of the House, but he became at once a conspicuous and acknowledged leader of that phalanx of patriotic statesmen who, having fought the good fight and won it in 1801, had returned to Washington to establish a representative government, in the dual sense of sovereignty which has made the Republic the pride and glory of Americans, the beacon light to the oppressed nations of Europe, and the happiest, because the freest people in the family of nations. I have followed with extreme care the course of events during the time

of Mr. Jefferson, and have striven to divest myself of any prepossession, and any prejudice in favor of one set of men or against another set of men, trying to grasp the true meaning of the words used by Jefferson in his inaugural, "We are all Republicans—we are all Federalists," and of those other words of his, "Still one thing more, fellow-citizens—a wise and frugal government, which shall restrain men from injuring one another, which shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned."

Madison and Gallatin in the cabinet, Macon, Randolph, Giles, Nicholas, and Lyon in the House, a Senate veering from Federalism to the State-rights school, these were the executive and legislative agencies which gathered about Jefferson to build up a government upon the plan laid down in his inaugural. The judiciary remained to the Federalists. Marshall was the residuary legatee of Alexander Hamilton, and rightly and firmly did he devote his great intellect to stem the tide of Jeffersonian Democracy which had set in irresistibly everywhere else except in the Supreme Court. During the trial of Aaron Burr the President and Chief Justice strained every nerve, the one against the other. The Court became then as afterwards, at the time of the Dred Scott decision, unpopular with the people. Jefferson reflected sharply on the course of Marshall, and almost implied a miscarriage of justice. William H. Seward and Charles Sumner denounced Chief Justice Taney in savage language, and appealed to a "higher law."

Burr had been held to bail by the Chief Justice in the sum of \$10,000 for a misdemeanor, and was about to be proceeded against by the government for high treason. His lawyer, Mr.

Wickham, at this juncture invited a company of his friends, including Chief Justice Marshall and Burr, to a dinner party, apprising the former of the acceptance of the invitation by the latter, and both appeared at the same table among the guests. Tucker, in his "Life of Jefferson," states, "there was an evident impropriety in this association between parties thus related to the public and to each other, and no one was afterwards more sensible of it than the Chief Justice himself, but," adds Tucker, "it was not an act of deliberation, but merely inconsiderate." If Wickham had not apprised Marshall of Burr's intended coming, Tucker's apologetic words would have more meaning.

The Federalists made much malicious gossip over Jefferson's letter to Mazzei. It was a business letter with "a single paragraph only of political information," says Jefferson, in a long communication to Martin Van Buren, written June 29, 1824. "In this information there was not one word," says its author, "which would not then have been, or would not now be approved by every Republican in the United States. \* \* \*

This paragraph, extracted and translated, got into a Paris paper at a time when the persons in power there were laboring under very general disfavor, and their friends were eager to catch at straws to buoy them up. To them, therefore, I have always imputed the interpolation of an entire paragraph additional to mine, which makes me charge my own country with ingratitude and injustice to France. There was not a word in my letter respecting France, or any of the proceedings or relations between this country and that. Yet this interpolated paragraph has been the burden of Federal calumny \* \* \* and is still quoted \* \* \* as if it were genuine, and really writ-

ten by me. And even Judge Marshall makes history descend from its dignity, and the ermine from its sanctity, to exaggerate, to record, and to sanction this forgery. In the very last note in his book, he says, 'a letter from Mr. Jefferson to Mr. Mazzei, an Italian, was published in Florence, and re-published in the *Moniteur*, with very severe strictures on the conduct of the United States.' And instead of the letter itself, he copies what he says are the remarks of the editor, which are an exaggerated commentary on the fabricated paragraph itself, and silently leaves to his reader to make the ready inference that these were the sentiments of the letter. Proof is the duty of the affirmative side. A negative cannot be possibly proved. But in defect of impossible proof of what was not in the original letter I have its press-copy still in my possession. It has been shown to several, and is open to any one who wishes to see it. I have presumed only that the interpolation was done in Paris. But I never saw the letter in either its Italian or French dress, and it may have been done here, with the commentary handed down to posterity by the judge."<sup>a</sup>

The Burr trial and the Mazzei letter furnish proofs of the antagonism which continued to the end between Marshall and Jefferson. Both great and good men, both founders of schools of politics diametrically opposite to each other in tenets and tendencies, time must solve the question, if it has not done so already, which of the two has bequeathed the better system to the American people

Before the close of the year 1802 the promises of the Inaugural Address were in a large measure fulfilled. Jefferson in the presidency, and John Randolph, chairman of the Com-

<sup>a</sup> Randall's "Life of Jefferson," III, 610.

mittee of Ways and Means, and administration leader in the House, had wrought wonders. Both State-rights men of the strictest school, they worked together, and hewed to the line. Never in his long career did Mr. Randolph appear more favorably as a statesman than during the first administration of Jefferson. His oratorical powers were of the highest order, and I once was told by a distinguished member of Congress who had heard him, the Hon. William Lucas of Virginia, that his eloquence stirred the soul more than that of Clay, Calhoun or Webster, the renowned triumvirate of a later day. Mr. Lucas referred particularly to Randolph's speech in the Virginia Convention of 1829-30. With marvellous talents, he possessed also creative genius. His English is more idiomatic than that of any of our statesmen. His perceptive faculty, like that of Edgar A. Poe or Lord Jeffreys of the Edinburgh Review, was of an acute kind which laid open to his mental vision the true relations of a subject under discussion. His wit particularly distinguished him. Abraham Lincoln is the only other one among our public men who approached Randolph in this talent. The Virginian once said that the paternity of two-thirds of the bastard wit of his day was laid improperly at his door. A more recent generation has attributed to Mr. Lincoln a vast quantity of more or less witty sayings, the origin of much of which is perhaps similarly spurious. But the caustic Democratic orator from Virginia, and the genial Republican President from Illinois, saw like Sheridan or Dickens the humorous side of subjects, and flashed with irresistible drollery, generally by a single word or phrase; such as *going out of his way to kick a sheep*, or *swapping horses while crossing a stream*, into the mirth provoking lights

and shades of their theme. A clever scribe might furnish a book quite instructive and entertaining, the materials for which could be culled from the speeches, letters and sayings of our two most famous emancipationists, the one having set free four hundred of his own slaves, the other four million belonging to other people. But alas and alack, Randolph fell away from Jefferson, his former political idol, and Saint Thomas of Canterbury, a name he was fond of calling him by, henceforth became a derided tutelary, Saint Thomas of Cantingbury. During the three or four years that they worked shoulder to shoulder they had reduced the army and navy to what was barely necessary. Only enough soldiers remained to garrison the widely separated small posts on the frontiers, in general merely a captain's company, in no case more than two or three companies, and none ever large enough to need a field officer. Jefferson took pride in saying that it was not possible to bring those garrisons together, because it would be an abandonment of their posts. Congress abolished executive patronage and preponderance, under the lead of Randolph, by cutting down one-half the offices in the United States, Jefferson fully consenting. Internal taxes were wiped out, and provision was made notwithstanding to pay the public debt in eighteen years. "Congress," exclaimed the exultant President in a letter to Kosciusko, "have lopped off a parasite limb planted by their predecessors in the judiciary body for party purposes; they are opening the door of hospitality to fugitives from the oppressions of other countries; and we have suppressed all those public forms and ceremonies" (Matthew Lyon must have been rejoiced), "which tended to familiarize the public eye to the harbingers of another form of government. The people are nearly

all united. Their quondam leaders infuriated with a sense of their impotence", (Hamilton at New York as "*Decius*" was still firing paper bullets at Jefferson), "will soon be seen or heard only in the newspapers which serve as chimneys to carry off noxious vapors and smoke; and all is now tranquil, firm and well, as it should be."<sup>a</sup>

Matthew Lyon at this time was in the Kentucky Legislature. In 1801 he had closed his career in Congress as a member from Vermont. President Jefferson offered to appoint him to the responsible and lucrative office of Commissary-General of the Western Army.<sup>b</sup> Lyon declined the honor, and the President appointed his son, James Lyon, whose devotion to Democracy had been well proved, to a clerkship under the government. Hildreth, the unscrupulous slanderer of Jefferson and Randolph, singles out this appointment as occasion for another slur upon the President.<sup>c</sup>

Having served a term among the Kentucky lawmakers, Col. Lyon came to Congress once more as one of the representatives of the Blue Grass Commonwealth. A ready debater, an authority upon parliamentary rules, educated in public affairs by a quarter of a century's service in State and National legislatures, "he is said," remarks Wharton, "by those who recollect him at this stage to have been a man of respectable bearing, and of frank and almost engaging manner."<sup>d</sup> The word "almost" might imply that Mr. Wharton had some doubt about it. This is not surprising when the reader recalls Cobbett's

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<sup>a</sup> Jefferson's Works. IV. 430-431.

<sup>b</sup> Wharton's "State Trials of the United States," p. 343.

<sup>c</sup> Hildreth's "History of the United States," 2d series, II, 468.

<sup>d</sup> Wharton's "State Trials of the United States," p. 343.

lampoons, and the avalanche of Federal caricatures of Lyon. Wharton derived his opinion from the newspapers. The truth is Lyon was a man of comely appearance, of imposing carriage, and strikingly intellectual countenance. The learned editor of the "Records of the Governor and Council of Vermont," Mr. E. P. Walton, has many references to Col. Lyon by those who knew him intimately, and his appearance, when brought in question, is always commented upon favorably. Mr. Walton, as well as a writer in the Vermont Historical Magazine, and another in Deming's Catalogue, lead me to suppose that he was a splendid looking man. Mr. Walton compares him to the distinguished Udney Hay, or rather Hay to Lyon, and says: "Col. Udney Hay was a descendant from an eminent family of that name in Scotland, and the colonel himself is said to have been highly educated and distinguished for his talents—a gentleman, an imposing man, rather of the Matthew Lyon cast." <sup>a</sup>

Our Kentucky representative was sworn in at the called session, October 17, 1803, and no other member was better known than he in all parts of the Union. He took his seat on the majority side, to the victory of which he had so largely contributed. In looking over the pages of Dennie's Philadelphia Port Folio, the leading Federal paper after Porcupine, and a great improvement on Cobbett, I find many articles on the Democrats, and among the chiefs of the party the name of Lyon frequently occurs. The Federal wits out of a job had more time to write than formerly, and Dennie, the "Lay Preacher," prepared quite a literary melange every week, biography, travels, poetry and a modicum of spiteful and some-

<sup>a</sup> "Vermont Governor and Council," II, p. 50.



times filthy essays on politics and politicians. A rather pedantic writer, under the title of "Climenole, A Review Political and Literary," contributed regular essays to the *Port Folio*. In the seventh number, March 17, 1804, occurs the following: "I see nothing to hinder our Jeffersons and Burrs, our Gallatins, Livingstons and Lyons, from being placed, in the estimation of future ages, on the same floor of democratic citizenship with Cethegus and Cataline, Spartacus, Antony and Thersites. \* \* \* I found that on the birthday of our illustrious Jefferson, as also on that of Cethegus, the Hare and the Hydra were in present conjunction. When Burr and when Cataline came into the world, the fox and the serpent were ascendant. At the moment of the birth of Gallatin and Spartacus the heart of the scorpion was in right aspect with the wolf's jaw. The canis and ursa major were in hostile aspect on the nativity of Thersites and Matthew Lyon; while on that of Chancellor Livingston and Mark Antony there was a singular coincidence of the star in the eye of the Bull, with that under the Goat's tail."<sup>a</sup>

This astrological badinage indicates Lyon's party standing. Jefferson's friendship for him has already been adverted to in these pages. Albert Gallatin, Secretary of the Treasury, Gideon Granger, Postmaster-General, Nathaniel Macon, Speaker of the House of Representatives, and Senator Stevens Thompson Mason, were among his warmest friends. John Randolph, leader of the House, in his celebrated speech at Charlotte Court House, Virginia, in reply to Patrick Henry, in 1799, spoke of Lyon in the following terms:

"At this moment, while I am addressing you, men of Charlotte, with the free air of heaven fanning my locks—and God

<sup>a</sup> *Port Folio*, March 17, 1804, p. 82.

knows how long I shall be permitted to enjoy that blessing—a representative of the people of Vermont—Matthew Lyon his name—lies immured in a dungeon, not six feet square, where he has dragged out the miserable hours of a protracted winter for daring to violate the royal maxim that the King can do no wrong. This was his only crime. He told his people, and caused it to be printed for their information, that the President, rejecting men of age, experience, wisdom, and independency of sentiment, appointed those who had no other merit but devotion to their master; and he intimated that the 'President was fond of ridiculous pomp, idle parade, and selfish avarice.' I speak the language of the indictment. I give in technical and official words the high crime with which he was charged. He pleaded justification—I think the lawyers call it—and offered to prove the truth of his allegations..

"But the court would allow no time to procure witnesses or counsel; he was hurried into trial all unprepared; and this representative of the people, for speaking the truth of those in authority, was arraigned like a felon, condemned, fined and imprisoned."<sup>a</sup> Many years after, when Lyon was no longer in Congress, he petitioned that body to refund his fine, and again John Randolph denounced the alien and sedition laws, and advocated the passage of a bill granting to this patriot, who had suffered unjustly, the relief he sought.<sup>b</sup> In view of several savage parliamentary encounters between Lyon and Randolph, which had taken place previously on the floor of the House, the conduct of the Virginian on the latter occasion was not only just, but singularly magnanimous.

<sup>a</sup> Garland's "Life of John Randolph," I, p. 138.

<sup>b</sup> "Annals of 12th Congress."

When Randolph went into opposition, assailed the administration, and organized the Quids, there were three men to whom Jefferson severally turned to take his place, Nicholas, Wirt and Lyon, any one of whom it was thought might be leader of the House. He predicted that John Randolph would go the way of Charles Fenton Mercer, first out of party lines, and finally while pretending to dislike the Federalists as much as ever, he would be merged in that party, and at last would openly affiliate with them. Mercer had quietly passed into political obscurity, a fate which, in a letter to Monroe, Jefferson predicted would overtake the Knight of Roanoke. But Jefferson was smarting under injuries inflicted by the fiery tongue of Randolph, and he proved a poor prophet in consigning him to such an ending. The truth was, which he forgot for the moment, such men as Jefferson and Randolph are not born every day, and whether they go into opposition or are sticklers for party regularity, they draw a space about them, within which they move and have their being, a sort of charmed circle, inaccessible to ordinary men, and from which they cannot be dislodged. As a matter of fact Randolph was not extinguished, but as Congressman, in which position the men of Charlotte kept him as long as he wished to remain, as United States Senator by the choice of Virginia, which loved him and was proud of him, and as Ambassador to Russia by the appointment of Andrew Jackson, who knew how to recognize men according to their merits, John Randolph was a positive factor all his life in the national councils, and in the estimation of the American people. Self-willed and wayward, he lost his party influence after 1805, but he continued to be during his whole career the most picturesque figure in American politics.

When Vice-President Calhoun, in 1826, was sharply attacked by John Quincy Adams, President of the United States, for not calling John Randolph to order in the Senate, Calhoun made this reply: "Who is Mr. Randolph? For more than a quarter of a century he has been a member of Congress, and during the whole time his character has remained unchanged. Highly talented, eloquent, severe, and eccentric; always wandering from the question, but often uttering wisdom worthy of a Bacon, and wit that would not discredit a Sheridan; every Speaker had freely indulged him in his peculiar manner, and none more freely than the present Secretary of State, while he presided in the House of Representatives."<sup>a</sup>

In regard to Mr. Nicholas, he was a very good debater and a well equipped representative, but he was not forceful as a leader of men. In a preceding chapter Mr. Gallatin's opinion of him is given, by which it appears he was a pure and able gentleman, but hardly the person to lead a stormy Congress. William Wirt was a fine speaker and a good lawyer, but never displayed qualities necessary to a successful politician. Colonel Lyon was of a different mould, and came nearer to the requirements of the position than either Nicholas or Wirt. He was essentially a man of action, accustomed by nature and habit to control men, as well as being a Democrat of long experience and courage of the Andrew Jackson type.

In the course of a warm discussion of the celebrated Georgia claims in the House on the 10th of March, 1804, speeches were made by Caesar A. Rodney, of Delaware, John and Thomas

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<sup>a</sup> Letters of J. Q. Adams, signed "Patrick Henry," published in the National Journal in 1826, and of J. C. Calhoun, signed "Onslow," published in the National Intelligencer, in 1826.

M. Randolph, of Virginia, and Matthew Lyon, of Kentucky. The Yazoo frauds had aroused the public mind, and Messrs. Madison, Gallatin and Lincoln, Secretaries of State, the Treasury and War, as Commissioners on the part of the United States, had heard and endeavored to settle by compromise the claims of Georgia, and those holding under the Georgia act of 1795, to the vast territory in dispute. John Randolph had denounced the frauds committed, and opposed any settlement of the Yazoo controversy. Lyon on the contrary wished to see the country settled, and the compromise on the basis of the report of Madison, Gallatin and Lincoln amicably carried out. After he finished his argument in reply to the two Randolphs and Mr. Rodney, Mr. James Elliot of Vermont took the floor, and began his speech in this language:

"I am extremely happy, sir, that the task which I had assigned myself, of replying to the speeches of the gentlemen from Virginia and Delaware, has been anticipated by the able, and I will take the liberty to say, unanswerable speech of the gentleman from Kentucky. If the destinies of the American people are to be governed by the counsels of an individual; if the system of an individual is to be adopted, give me not the system of the gentleman from Delaware (Mr. Rodney), or that of either of the gentlemen from Virginia (Mr. John Randolph or Mr. Thomas M. Randolph), but that of the gentleman from Kentucky (Mr. Lyon). He has displayed an equal superiority in argument and in correctness of principle."<sup>a</sup>

The Yazoo grants undoubtedly owed their inception to a gigantic fraud, no less than the bribery and purchase of a majority of the Georgia Legislature in 1795, by which the

<sup>a</sup> "Annals of Eighth Congress" (1803-4), p. 1162.

grants became legalized. Innocent third parties who took title under that law had rights which could not be disregarded. John Randolph, then a boy, was on a visit to Georgia at the time that this scandalous law was passed, and shared in the indignation of the people of that State against the legislative iniquity. A land company had been formed to protect innocent purchasers, at the head of which was Gideon Granger, now Postmaster-General. Randolph's rage against all who had part or parcel in the Yazoo business embraced Granger in its scope, and some writer has compared his Yazoo philippics to those of Demosthenes against the Macedonian. This aggressive assault was directed against all members of Congress, especially those from the Eastern States, who favored a compromise, and he did not spare the National Commissioners, Madison, Gallatin and Lincoln, who had recommended that such compromise on the concession of five millions only, out of forty millions of acres, should be made in favor of innocent, bona fide purchasers under the Georgia law. Matthew Lyon favored the compromise. Some irritation was created among the Eastern members of Congress by Mr. Randolph's fierce invectives. His barbed arrows flew in every direction, and a few members went so far in their complaints as to hold Mr. Jefferson responsible for Randolph, who was still chairman of the Committee of Ways and Means, and therefore, regarded as the mouthpiece of the administration. His attacks on the Cabinet ought to have silenced such complaints, but they did not, and the Federalists, observing the family quarrel among the Democrats, were not slow to add fuel to the flame. Fisher Ames's organ, the Boston Repertory, the ablest of the Essex Junto papers, was extremely busy at this period in agitating

and promoting the dissensions. Those among the Democrats who complained of Randolph's personalities were complimented as spirited, independent men, and no one came in for so large a share of unexpected encomiums as Matthew Lyon, who had been writing several pretty sharp letters to the Kentucky Palladium against the "dog-in-the-manger" policy of the Virginia party, by which he meant John Randolph.

Politics make strange bed-fellows. Saturnian times seemed to have returned, and the lion and the lamb to be lying down together. Matthew Lyon and Roger Griswold, on this measure, were acting and voting on the same side, and the stern Kentucky Democrat, whom the Federalists had been vilifying for so many years, was rapidly becoming a "bigger man" than the Knight of Roanoke, a true hero in their eyes, who would no longer submit, even to please his favorite, Jefferson, to the lash of a Virginia aristocrat. If Matthew Lyon was a reader of Virgil, he must have thought of those words of the Mantuan bard, "I fear the Greeks bringing presents." Others no doubt recalled them, and Hildreth informs us that "Randolph complained bitterly—and it was a curious instance of political mutation—that Lyon and Griswold, who had once come into such fierce collision, should now be united against the leader of the Republicans in the House."<sup>a</sup> In the course of the debate Randolph declared "we have had to contend against the bear of the arctic and the lion of the torrid zone." This was perhaps a sarcastic slap at the Postmaster-General and Colonel Lyon. "He poured out," says Hildreth, "a torrent of abuse on Granger, agent of the claimants, whom he accused of bribing members. Nor did Madison, Gallatin and Lincoln, who, as

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<sup>a</sup> Hildreth's "History of the United States," 2d series, II, p. 542.

Commissioners, had recommended a compromise of the claims, entirely escape. Granger thought it necessary to send a letter to the House, asking an investigation into his conduct—a request which was got rid of by a postponement.”<sup>a</sup>

The reader of a former chapter of this book has become aware of the treatment and language, unprecedented in violence, to which the Federalists had subjected Colonel Lyon. But a better acquaintance with him revealed the true character of the man, his ability, defiant rectitude, powers as a debater, and downright honesty and courage. Every one of them who had voted for his expulsion and who still remained in Congress, with the solitary exception of Dana, of Connecticut, not only became reconciled to Lyon, but had offered to him ample apologies for his former harsh conduct. I have before me an original letter of Col. Lyon to President Monroe, dated June 7, 1817, in which particular reference to this subject is made. Of the Federalists he says: “Mr. Bayard, their champion, who took the lead in persecuting me, through Mr. John Rowan, solicited an interview with me, in order to acknowledge to me his regret for having mistaken my character and joined in a preposterous persecution against me. To this solicitation I yielded, taking with me Mr. Russell and two other Republican members from New York State. In their presence, in the presence of Mr. Rowan, and of the principal Federal members of Congress, Mr Bayard repeated his professions of regret for his former conduct toward me, of his esteem for me, and of his desire to be on terms of amity with me, until all present exclaimed that I ought to be satisfied. Mr. Bayard was the last of a considerable number of those who voted for my ex-

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<sup>a</sup> *Ibid.*, p. 542.



pulsion, and had made to me the amende honorable, previous to which I did not speak with them unless the public business required it. Mr. Dana was the only member in either House when I left Congress who had not gone through this ceremony of those who had voted for my expulsion."

If the Federalists hoped to profit by the Yazoo scandal they were destined to a bitter disappointment. Jefferson was re-elected President by a vote so overwhelming that it approached unanimity. Even Massachusetts, New Hampshire, Rhode Island and Vermont joined the Democratic or Republican column, and every State in the Union, except Connecticut and Delaware, voted for Jefferson and Clinton. The electoral votes stood 162 to 14, Maryland having contributed 2 of the 14 Federal votes in the electoral colleges. "This," groans Hildreth, "was the whole of the lean minority, fourteen in all, which the Federalists were able to muster."<sup>a</sup> Before the election Jefferson wrote to Elbridge Gerry, and said: "I sincerely regret that the unbounded calumnies of the Federal party have obliged me to throw myself on the verdict of my country for trial, my great desire having been to retire, at the end of the present term, to a life of tranquillity; and it was my decided purpose when I entered into office. They force my continuance. If we can keep the vessel of State as steadily in her course for another four years, my earthly purposes will be accomplished, and I shall be free to enjoy, as you are doing, my family, my farm, and my books."<sup>b</sup>

Mr. Granger had spoken to the President respecting a rumored coalition between the Federalists and dissatisfied Re-

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<sup>a</sup> *Ibid.*, p. 532.

<sup>b</sup> "Works of Jefferson," IV, 536.

publicans in the Eastern States. In referring to this rumor, Jefferson said in a letter to Granger: "The idea was new to me. \* \* \* The Federalists know, that *eo nomine*, they are gone forever. \* \* \* I cannot believe any portion of real Republicans will enter into this trap; and if they do, I do not believe they can carry with them the mass of their States. It will be found in this, as in all other similar cases, that crooked schemes will end by overwhelming their authors and coadjutors in disgrace."<sup>a</sup> His confidence was not misplaced, as the astonishing vote by which he was re-elected showed. Yet the calm, farseeing President was not inattentive to the divisions in Congress among the Democrats, and he sought, without giving just cause of offense to Mr. Randolph, whom Speaker Macon had re-appointed Chairman of the Committee of Ways and Means, to conciliate the good will of other Democrats in whose integrity and sound principles he had confidence. On the 17th of January, 1806, the President sent for Barnabas Bidwell, a Democratic member from Massachusetts, and intrusted to him a secret message which resulted in the passage of a bill, appropriating two millions of dollars for "extraordinary expenses of foreign intercourse." The object was the purchase of the Floridas, and as France controlled Spain, the money was to be used in the discretion of the Executive, very probably for the most part in France. Mr. Randolph, already irritated by his differences with Gideon Granger, the Postmaster-General, and displeased at the selection by the President of Mr. Bidwell on the present occasion for the communication of a confidential message which would involve an appropriation of money, was disposed

<sup>a</sup>*Ibid.*, pp. 542-3.

to regard it as a slight to himself as Chairman of the Committee of Ways and Means. Strictly speaking it was not as friendly a course as the President had formerly adopted, but whether Mr. Randolph himself was not responsible for this extension of confidence to another member, instead of to himself, it perhaps might not be easy to deny. "I reprobated" said the angry Randolph a short time after, "this back-stair influence. I had always flattered myself that it would be a thousand years hence before our institutions would have given birth to these Charles Jenkinsons in politics." The breach now was irreparable. Randolph became the censor of the administration, as he had long been the schoolmaster of the House. Jefferson had left it to Congress to fix the amount of the appropriation for "extraordinary expenses" in dealing with Spain and France. Randolph made that the formal ground of his opposition, although he had done precisely the same thing Jefferson now asked two years before in the Louisiana purchase. He charged dissimulation and cowardice on the President. Some of his speeches at this time are fine bursts of eloquence, but they have been forgotten because the groundwork was not inherently strong, and the logic of facts was against him.

He had inspired fear among the members by the bitter irony of his wit, and the audacity with which he exercised it upon those who crossed his path. Matthew Lyon was quite as fearless and audacious a man when once started as Randolph himself, and it was not long before it became very probable that these two interesting and original characters would clash. If Randolph now drew the sword and threw away the scabbard to enter the lists against Jefferson, Lyon with still more fearful

odds against him had defied John Adams in the meridian of his power.

The defection of the leader of the House left his mantle to be worn by a new aspirant, if one might appear. The truth of history compels the admission that no one took his place, because there was no one qualified to take it. In administration circles Col. Lyon was looked to as the Hector to defend the citadel from the new enemy, and evidences are not wanting of his close relations with the President and Cabinet. Aaron Burr, the late Vice-President, whose lynx-eyed shrewdness allowed but little that was passing to escape his observation, was aware of Lyon's influence, and he sought his friendly offices to secure from Mr. Jefferson a foreign embassy. He first procured General Wilkinson to sound Col. Lyon on this subject, who assured the General that Burr could not obtain an embassy, but that he might be elected to a seat in Congress from Tennessee. Burr not satisfied with Wilkinson's effort, made the attempt in person to enlist Lyon in his support. "In the winter of 1805," says General Wilkinson, "while Burr and myself were both in the city of Washington, I anxiously wished him to be appointed to some foreign embassy. My views are fully disclosed in the deposition of Colonel Lyon."\* On the 25th of February, 1811, Lyon testified before the Congressional Committee, appointed to inquire into the conduct of General Wilkinson, and from his deposition the following is an extract:

"Some time in the winter, 1805, coming one morning from Alexandria, by way of the Navy Yard, and passing by the house where the General (Wilkinson) lived, he called on me to

\* "Memoirs of My Own Times," by General James Wilkinson, II, p. 280.

come in; after congratulating him on his appointment as Governor, and some other conversation, Colonel Burr's name was mentioned. Colonel Burr had no claim to friendly attentions from me. I had no acquaintance with him before the contest concerning the Presidential election. I had resisted the solicitations of my friends, who wished to introduce me to him in March, 1801, on account of his misconduct in that affair. \* \* \* The General entered warmly into his praise, and talked of a foreign embassy for him. This, I assured him, could not be obtained. \* \* \* He informed me he had, at Colonel Burr's request, made an appointment for me to call on him. \* \* \* I called. \* \* \* Colonel Burr \* \* \* said he was very glad to see me." The witness detailed his conversation with Burr, and continued: "In stating this conversation, I give the substance of all the other conversations I had that winter with Col. Burr at Washington, except that in some of them the embassy was talked of. He observed that my friend Wilkinson thought I would be a proper person, in a blunt way, to mention it to the President. He asked me, if I dared to tell the President that he ought to send Col. Burr on the foreign embassy talked of? I told him very bluntly, I would not."<sup>a</sup>

In the letter to President Monroe, already referred to, Col. Lyon gives an interesting account of an interview between himself and the Secretary of the Treasury, Albert Gallatin, in relation to Governor Claiborne. It throws no little light upon the value attached to Lyon's judgment by President Jefferson

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<sup>a</sup> Col. M. Lyon's deposition before the committee appointed by Congress to inquire into the conduct of General Wilkinson. "Memoirs of My Own Times," by General Wilkinson, II, Appendix, LXVIII. Deposition given in full *postea*.

and Mr. Gallatin. The following is an extract from the letter: "In the phalanx of Republican Senators will appear next winter my friend, Governor Claiborne, who is warmly attached to me, \* \* \* He was once in imminent political danger. I called at Mr. Gallatin's office one morning in the spring after we had obtained New Orleans. He looked very much disturbed. He inquired if I had heard how Claiborne had been playing the devil at Orleans. 'He had ruined himself, he had forfeited his station, he had been guilty of the most unpardonable impropriety. I have just come from the President, who is provoked to the highest pitch against Claiborne, who by a legislative act of his own has created a bank of ———— dollars capital, and for ———— years duration. The act must be disavowed, and he discarded for the attempt. I had made arrangements for the establishment of a branch of the bank of the United States there, and it is understood by the directors that no other bank is to be allowed there.' Thus raved the cool, the deliberate Mr. Gallatin, while *the rash, the inconsiderate M. Lyon* begged of him calmly to reflect on the real nature of the charge against Claiborne. I insisted that whether the act was prudent or otherwise, the Governor had not exceeded his powers, and it being a grant to individuals, an attempt to rescind it would be disgraceful, and cause disagreeable irritation. I told him whatever the Executive thought proper to do with Claiborne, they must let the bank alone; there will soon be business for both banks in that important town. I recollected putting my letters unopened at the Post Office in my pocket. On examining the bundle I found one from James Lyon, then at New Orleans, explaining the business, and soliciting my good offices with the Executive if necessary. Mr. Gallatin read it, and returned im-

mediately to the President. Claiborne's sentence was mitigated to a reproof."

So early as October, 1804, Randolph grew restive under the increasing evidence of Lyon's unwillingness to submit to be led by him, and on this very subject of Claiborne and his New Orleans bank Randolph urged that Claiborne should be cashiered. On the 14th of that month he wrote from Bizarre to Gallatin, and said: "On the subject of Louisiana you are also apprised that my sentiments coincide with your own; and it is principally because of that coincidence that I rely upon their correctness. But as we have the misfortune to differ from that great political luminary, Mr. Matthew Lyon, on this as well as on most other points, I doubt whether we shall not be overpowered." Claiborne's retention would seem to show he was overpowered, and it did not increase his love for Lyon. A few months later when the Yazoo question was again under discussion in the House, Randolph's pent up rage against Granger and Lyon burst all bounds, and he made one of the most furious attacks on them both ever witnessed in Congress. He did not spare even Gallatin himself. Henry Adams, who never loses an opportunity to vent his hereditary spite on Mr. Randolph, says: "With the malignity of a bully he attacked Gideon Granger, the Postmaster-General, who could not answer him, and he only met his match in Matthew Lyon, whose old experience now, to the delight of the Federalists, enabled him to meet Randolph with a torrent of personal abuse, and to tell him that he was a jackal and a madman with the face of a monkey."\* Mr. Adams did not like Mr. Randolph, and omits

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\* "Life of Albert Gallatin," p. 329.

his attack from the account he gives of the quarrel, in his *Life of Gallatin*. I subjoin it here:

"A few evenings since," said Randolph in his onslaught on Lyon, "a profitable contract for carrying the mail was offered to a friend of mine who is a member of this House. You must know, sir, that the person so often alluded to maintains a jackal, fed, not as you would suppose, upon the offal of contract, but with the fairest pieces in the shambles; and at night, when honest men are in bed, does this obscene animal prow through the streets of this vast and desolate city, seeking whom he may tamper with. Well, sir, when this worthy plenipotentiary had made his proposal, in due form, the independent man to whom it was addressed saw at once its drift. 'Tell your principal,' said he, 'that I will take his contract, but I shall vote against the Yazoo claim, notwithstanding.' Next day, he was told there had been some misunderstanding of the business, that he could not have the contract, as it was previously bespoken by another."<sup>a</sup>

Lyon the next day paid his respects to Randolph by the following retort:

"The Postmaster-General has not lost my esteem, nor do I think his character can be injured by the braying of a jackal, or the fulminations of a madman. But, sir, permit me to inquire from whom these charges of bribery, of corruption, and of robbery, come? Is it from one who has for forty years, in one shape or other, been intrusted with the property and concerns of other people, and has never wanted for confidence, one whose long and steady practice of industry, integrity, and well doing, has obtained for him his standing on this floor? Is it

<sup>a</sup> "Annals of Eighth Congress" (1804-5), p. 1106.



from one who sneered with contempt on the importunity with which he was solicited to set a price on the important vote he held in the last Presidential election? No, sir, these charges have been fabricated in the disordered imagination of a young man whose pride has been provoked by my refusing to sing encore to all his political dogmas. I have had the impudence to differ from him in some few points, and some few times to neglect his fiat. It is long since I have observed that the very sight of my plebeian face has had an unpleasant effect on the gentleman's nose, for out of respect to this House and to the State he represents, I will yet occasionally call him gentleman. I say, sir, these charges have been brought against me by a person nursed in the bosom of opulence, inheriting the life services of a numerous train of the human species, and extensive fields, the original proprietors of which property, in all probability, came no honester by it than the purchasers of the Georgia lands did by what they claim. Let that gentleman apply the fable of the thief and the receiver, in Dilworth's Spelling Book, so ingeniously quoted by himself, in his own case, and give up the stolen men in his possession. I say, sir, these charges have come from a person whose fortune, leisure and genius have enabled him to obtain a great share of the wisdom of the schools, but who in years, experience, and the knowledge of the world and the ways of man, is many, many years behind those he implicates—a person who, from his rant in this House, seems to have got his head as full of British contracts and British modes of corruption as ever Don Quixote's was supposed to have been of chivalry, enchantments and knight errantry—a person who seems to think no man can be honest and independent unless he has inherited land and

negroes, nor is he willing to allow a man to vote in the people's elections unless he is a landholder.

"I can tell that gentleman I am as far from offering or receiving a bribe as he or any other member on this floor; it is a charge which no man ever made against me before him, who from his insulated situation, unacquainted with the world, is perhaps as little acquainted with my character as any member of this House, or almost any man in the nation, and I do most cordially believe that, had my back and my mind been supple enough to rise and fall with his motions, I should have escaped his censure.

"I, sir, have none of that pride which sets men above being merchants and dealers; the calling of a merchant is, in my opinion, equally dignified, and no more than equally dignified with that of a farmer, or a manufacturer. I have a great part of my life been engaged in all the stations of merchant, farmer and manufacturer, in which I have honestly earned and lost a great deal of property, in the character of a merchant. I act like other merchants, look out for customers with whom I can make bargains advantageous to both parties; it is all the same to me whether I contract with an individual or the public; I see no constitutional impediment to a member of this House serving the public for the same reward the public gives another. Whenever my constituents or myself think I have contracts inconsistent with my duties as a member of this House, I will retire from it.

"I came to this House as a representative of a free, a brave, and a generous people. I thank my Creator that He gave me the face of a man, not that of an ape or a monkey, and that He gave me the heart of a man also, a heart which will spare to its

last drop in defence of the dignity of the station my generous constituents have placed me in. I shall trouble the House no farther at this time, than by observing that I shall not be deterred by the threats of the member from Virginia from giving the vote I think the interest and honor of the nation require; and by saying if that member means to be understood that I have offered contracts from the Postmaster-General, the assertion or insinuation has no foundation in truth, and I challenge him to bring forward his boasted proof."<sup>a</sup>

Had Col. Lyon lived long enough, he would not only have beheld John Randolph nobly acting on his blunt advice by emancipating all his hundreds of slaves, but John G. Whittier, the poet of the Abolitionists, chanting songs of praise to his philanthropy in the following strain:

"Bard, Sage and Tribune!—in himself  
All moods of mind contrasting,  
The tenderest wail of human woe,  
The scorn-like lightning blasting;  
The pathos which from rival eyes  
Unwilling tears could summon,  
The stinging taunt, the fiery burst  
Of hatred scarcely human!

Mirth sparkling like a diamond shower  
From lips of life-long sadness;  
Clear picturings of majestic thought  
Upon a ground of madness;  
And over all Romance and Song  
A classic beauty throwing,  
And laurelled Clio at his side  
Her storied pages showing.

All parties feared him; each in turn  
Beheld its schemes disjointed,  
As right or left his fatal glance  
And spectral finger pointed.  
Sworn foe of Cant, he smote it down  
With trenchant wit unsparing,  
And, mocking, rent with ruthless hand  
The robe Pretence was wearing.

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<sup>a</sup>"Annals of Eighth Congress" (1804-5), pp. 1125-1126.

He held his slaves; yet kept the while  
His reverence for the Human;  
In the dark vassals of his will  
He saw but Man and Woman!  
No hunter of God's outraged poor  
His Roanoke valley entered;  
No trader in the souls of men  
Across his threshold ventured.

And when the old and wearied man  
Lay down for his last sleeping,  
And at his side, a slave no more,  
His brother-man stood weeping,  
His latest thought, his latest breath,  
To Freedom's duty giving,  
With failing tongue and trembling hand  
The dying blest the living."

The above speech of Lyon is much stronger than the apocryphal one attributed at a later date to Tristram Burgess. I have searched the records carefully and find no such speech there, and do not believe any such was ever made in Congress as that ascribed to Tristram Burgess against John Randolph. Mr. Burgess was addicted to making up or padding remarks which took five minutes to utter in Congress into long printed pamphlets in Rhode Island, which would have taken hours to deliver in the House. He was charged with this by George McDuffie on the floor of the House, and an appeal to the record of debates confirmed the charge. Randolph's alleged reply to Burgess is, of course, purely fictitious. But Matthew Lyon's retort and Randolph's attack which provoked it were made and are in the Annals of Congress, and created great excitement at Washington when they were delivered. Lemuel Sawyer, a member of Congress at the time, relates an amusing anecdote in his "Biography of John Randolph," which I subjoin:

"Upon the eve of adjournment, he (Randolph) went up to Mr. Quincy to take his farewell. \* \* \* In passing out of the

Hall with his friend Garnett he encountered near the door a Lyon (Matthew, of Kentucky), and offered him his hand. Mr. Lyon drew back, and observed that he could not find it in his heart to shake hands with Mr. Randolph, because he had called him 'a d——d old rascal.' Mr. Randolph appealed to Mr. Garnett, who confirmed Mr. Lyon's statement, and Mr. Randolph replying, 'it can't be helped,' departed without exchanging the farewell with him."<sup>a</sup>

The situation of affairs, with the world given over to two freebooters, England and France, had now become desperate. The Orders in Council and the Berlin Decree had made the United States on the ocean the plaything of Napoleon and the Mephistophelian Canning. John Randolph was in revolt, and Lyon could have been leader of the House, if the words of Jefferson in a letter, February 28, 1807, to Wilson Cary Nicholas, had not been exactly true. "There is no one whose talents and standing, taken together, have weight enough to give him the lead."<sup>b</sup> There is not a doubt Lyon's "talents" were ample, but owing to himself his "standing" was more than doubtful. Like Henry Clay, he had become a disciple of the protective doctrines of Matthew Carey, doctrines which Jefferson called heretical to the end of his life. Indeed, nearly a quarter of a century before, in the year 1785, Col. Lyon sowed the germs of high tariffs in the Assembly of Vermont. I quote from its Journal: "Duty on Nails proposed and dismissed. In Assembly, October 17 (1785). A petition signed by Matthew Lyon, praying that a duty of two pence pr. pound might be laid on all nails brought into this State, which would be a

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<sup>a</sup> "A Biography of John Randolph of Roanoke," by Lemuel Sawyer, New York, 1844, p. 47.

<sup>b</sup> "Jefferson's Works," V, 48.

sufficient encouragement for him to build a slitting mill, was read and dismissed."<sup>a</sup> And the following comment on this proposal is made by the observant editor of the Historical Society Collections of the same State: "Lyon, on another occasion asked for the exclusive right, for the term of eighteen years, of splitting bar-iron into nail-rods, which was not granted. Here are germs of the protective policy afterwards adopted by Congress in tariffs and patent laws."<sup>b</sup> Lyon had been encouraged by the passage in the Assembly, four days earlier, of an act authorizing the State, on his petition, to sell to him broken cannon, mortars, etc., at Mount Independence, to be used in making bar-iron, to come forward with the happily ineffectual prayer to lay a duty on nails. There were Jeffersonian Democrats in the Vermont Assembly, even in those primitive days. Jefferson was at a loss to account for Henry Clay's hostility to himself in 1807. Clay, before this time, thought Jefferson a persecutor, an opinion into which he had been duped by Aaron Burr, and which deception he afterwards resented by refusing Burr his hand when they met in New York. But apart from this, Harry of the West was already so enamored by Mathew Carey's paternalism in government that in 1807 he offered resolutions in the United States Senate which were adopted, calling on the Secretary of the Treasury "to prepare and report to the Senate at their next session, a plan for the application of such means as are within the power of Congress, to the purposes of opening roads and making canals; together with a statement of undertakings of that nature which, as objects of public improvement, may require and

<sup>a</sup> "Vermont Assembly Journal," II, 519.

<sup>b</sup> "Collections of the Vermont Historical Society," II, pp. 428-429.

“deserve the aid of government.”<sup>a</sup> Mathew Carey, in his “New Olive Branch,” and “Essays on Political Economy,” and his son, Henry C. Carey, in his “Principles of Political Economy,” have made Pennsylvania the hotbed of the protective system in the United States. Henry Clay, in spite of many opinions to the contrary, was always from his first appearance in national politics in 1806, an ardent disciple of Mathew Carey. And it must be confessed that Matthew Lyon, in view of his high tariff utterances in Congress during 1807, and the succeeding two years, was still strongly tintured on that subject with what Mr. Jefferson always styled political heresy. One of Jefferson’s latest letters, that to William B. Giles, December 26, 1825, was called forth by Henry Clay’s schemes of paternalism when Secretary of State under John Quincy Adams.

“I see, as you do, and with the deepest affliction,” exclaimed the venerable patriot, “the rapid strides with which the Federal branch of our Government is advancing towards the usurpation of all the rights reserved to the States, and the consolidation in itself of all powers, foreign and domestic; and that, too, by constructions which, if legitimate, leave no limits to their power. Take together the decisions of the Federal Court, the doctrines of the President and the misconstructions of the constitutional compact acted on by the Legislature of the Federal branch, and it is but too evident that the three ruling branches of that department are in combination to strip their colleagues, the State authorities, of the powers reserved by them, and to exercise themselves all functions, foreign and domestic. Under the power to regulate commerce they assume indefinitely that also over agriculture and manufactures, and call it regulation

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<sup>a</sup> “Annals of Congress” (1806-7).

to take the earnings of one of these branches of industry, and that, too, the most depressed, and put them into the pockets of the other, the most flourishing of all. And what is our resource for the preservation of the Constitution? Reason and argument? You might as well reason and argue with the marble columns encircling them. \* \* \* They now look to a single and splendid government of an aristocracy, founded on banking institutions and moneyed incorporations under the guise and cloak of their favored branches of manufactures, commerce and navigation, riding and ruling over the plundered ploughman and beggared yeomanry."<sup>a</sup>

Here then the reader has the explanation of Henry Clay's course in the Senate in 1806 and 1807, of open hostility to Mr. Jefferson. Burr had poisoned his mind. The President was aware of his enmity, but confessed his total ignorance of the cause of it in a letter to Mr. Cooper, written at Monticello, September 1, 1807. In this letter he says: "It is true, as you have heard, that a distance has taken place between Mr. Clay and myself. The cause I never could learn or imagine. I had always known him to be an able man, and I believed him an honest one. I had looked to his coming into Congress with an entire belief that he would be cordial with the administration, and even before that I had always had him in my mind for a high and important vacancy which had been from time to time expected, but is only now about to take place. I feel his loss, therefore, with real concern, but it is irremediable from the necessity of harmony and cordiality between those who are to manage together the public concerns. Not only his withdrawing from the usual civilities of intercourse with me (which

<sup>a</sup>"Works of Jefferson," Vol. VII, p. 426 et seq.



Even the Federalists, with two or three exceptions, keep up), but his open hostility in Congress to the administration leave no doubt of the state of his mind as a fact, although the cause be unknown."<sup>a</sup>

Andrew Jackson had also been seduced into antagonism to Jefferson by the maleficent Burr, and went to Richmond, at the time of Burr's trial, according to old Mr. W. H. Sparks in his "Memories of Fifty Years," an unreliable book, where he roundly abused the President. Sparks says: "When on his (Burr's) trial at Richmond, Jackson went there, and was found on the street haranguing the people in Burr's favor, and denouncing the prosecution and the President. Subsequently, however, he denounced Burr, and pretended that he had deceived him."<sup>b</sup> But little reliance can be placed on the garrulous Sparks, who wrote his book in old age when his memory had faded. Randall, however, has a reference to Jackson's hostility at this time. But it is probable that Matthew Lyon warned Jackson against Burr, and opened his eyes to his real character.

In the light of Lyon's deposition in the Wilkinson investigation before a congressional committee in 1811, the deponent's relations with Burr are revealed, and show a set purpose on Burr's part to reach Jackson through Lyon. In reality Burr could not have felt any friendship for Lyon, for he had tried in vain to corrupt him through Brown of Rhode Island in 1801 in the contest for President between Jefferson and Burr. Lyon, above all others, had been instrumental in Burr's defeat. Hamilton, next to Lyon, had worked hardest for that

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<sup>a</sup>"Jefferson's Works," V, 183.

<sup>b</sup>P. 200.

object. Burr's feelings were probably very bitter against both. Lyon testified that Burr asked him in 1805 to solicit Jefferson to appoint him to a foreign embassy, and that he bluntly refused to make such a request. He next expressed a wish to accompany Lyon by boat from Pittsburgh to Kentucky. Lyon's boat was to start on a certain day; Burr's boat would not be ready to start for a day or two later. "Colonel Burr arrived at Pittsburgh," Lyon deposed, "the evening before I left that place. He assured me General Wilkinson would be on in a day or two, and begged of me to wait their company. I gave him to understand that my business would not admit of my waiting one moment for the company of any ceremonious gentleman. In all the journies of my long life I had not waited half an hour for the company of any man."\* Lyon was evidently not taken by the proposal. Thirty-six hours after his departure, "by extraordinary exertions of his hands," Burr overtook him. "We lashed together," says Lyon, "to Marietta; he stopped at Blennerhassett's." At Washington Wilkinson also had solicited Lyon's aid for Burr, and while Lyon refused to interest himself for him with President Jefferson, he had suggested that by going early to Tennessee Burr might be returned from there to Congress. In his deposition Lyon states that Burr did not appear to take more than a languid interest in this suggestion. His schemes in the East kept him at Philadelphia, and Lyon assured Wilkinson that this delay had destroyed any chance for election which Burr might have had by a prompt departure for Nashville. Whatever his motive, Burr seemed determined to stick

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\* "Memoirs of My Own Times," by General James Wilkinson, Appendix, No. LXVIII.

to Lyon. "At the falls of Ohio," I again quote from the deposition, "where I had considerable business, he overtook me; there I repeated to him that the delay he had made had ruined his prospects of election, as that prospect depended solely on domestication. At the falls he changed his flat boat for a small boat, which he ordered to Eddyville (where I live), and rode to Nashville." He was received by the leading people at Nashville, including General Jackson, with great eclat, but soon returned to Colonel Lyon's house at Eddyville. "I inquired if anything had been said about the election," continues the deposition. "He answered, 'not one word.' I observed that he ought to think no more of it. In answer, he said he had little doubt of being elected a delegate from Orleans Territory, but he would choose to be a member, and insisted that I should write to a friend of mine (who had paid him the most marked attention) to see if the thing could be yet set on foot, and to inform him he would be a resident in Tennessee. At the time of the election he requested me to communicate the answer to him at Natchez. I complied with his wishes, the answer I received being unfavorable to him." Hildreth says that Lyon's friend, to whom Burr urged him to write, was "probably Jackson."<sup>a</sup> About the same time, in reply to a letter of Wilkinson, Lyon wrote, "B—— lost the prospect in Tennessee, by not pursuing the road I pointed out for him." The last question propounded by the committee respecting Burr, and Lyon's answer, were as follows: "Did you not believe him sincere? In answer to which I say, no doubt he would have been sincerely rejoiced to have been elected. There seemed too much mystery in his conduct. I suspected him to have other objects

<sup>a</sup> Hildreth's "History of the United States," 2d series, II, 597.

in view, to which I could not penetrate. These objects I then believed were known to General Wilkinson; but I had no idea, at that time, of his having any treasonable project in his head.\* It was not long before Lyon became satisfied that both Burr and Wilkinson required watching, and from his speeches in Congress it is evident that his friendship for Wilkinson, a fellow soldier in the Revolution, was at an end, and that he deemed Burr, to whom he had refused to be introduced in 1801, with his mysterious projects, dangerous, sinister and probably bent on treason. Entertaining these views it is not difficult to imagine what Colonel Lyon must have said to his neighbor and cherished friend Andrew Jackson. Apart from some account which Mrs. Roe, Colonel Lyon's daughter, communicated to me, but which being the recollections of a very old lady cannot be deemed historical proof, the internal evidence makes it extremely probable that Lyon warned Jackson to be on his guard with Burr, and as Lyon was in confidential relations with Jefferson and Gallatin, it is likely that the secret knowledge which Jackson obtained about this period of Burr's and Wilkinson's schemes was confided to his ears by Matthew Lyon. Jackson changed abruptly. He had allowed his nephew to go into service with Burr, which showed he then trusted him, but he soon sent off express a confidential letter to Governor Claiborne putting him on his guard against Wilkinson, and more than hinting that the government was threatened by a secret plot. "I fear," said he, "there is something rotten in the state of Denmark." It is my opinion that Lyon, who was in a position to learn administration secrets, opened the eyes of General Jackson to the existence of a dangerous conspiracy. Mr.

\*Wilkinson's Memoirs, Appendix No. LXVIII.

Jefferson, who trusted Wilkinson, though Lyon had ceased to do so, wrote to Governor Claiborne, January 3, 1807, "Be assured that Tennessee, and particularly General Jackson, are faithful."<sup>b</sup> In a former chapter of this volume I called attention to a scurrilous article by Peter Porcupine, in 1797, holding up to public ridicule Jefferson, Jackson, Monroe, Gallatin and Lyon. It is a curious coincidence that Lyon's relations to all of those distinguished Democrats continued to the end most intimate and loyal. If he baffled Burr in his treasonable machinations, and revealed to Jackson the true character of the man, it was the most important service he had rendered to his country since he gave Jefferson the ninth and decisive vote in 1801.

Colonel Lyon's early associations with New England men were revived considerably during his latter days in Congress. He opposed the embargo and made several strong speeches against it. This brought him into sympathy with the distinguished Josiah Quincy, between whom and himself a cordial friendship sprung up in Congress, which continued throughout the remainder of Colonel Lyon's life. But when Quincy threatened the secession of Massachusetts from the Union, Lyon, then in Kentucky, wrote him earnestly to frown upon that mad scheme, and made one of the most pathetic and eloquent appeals he ever uttered to the patriotism of Massachusetts. He said: "The step I most dread and have ever dreaded seems ready to be taken; I mean the separation of the States, and that through the folly of the National Government. \* \* \* Yet I still hope that New England will act worthy of themselves. \* \* \* Permit me, my dear sir, once more to remind you of the importance of preserving the Union to

<sup>b</sup>Randall's *Life of Jefferson*, III, 186.

the last extremity. Besides the reasons commonly urged and well enforced by Mr. Dexter, your dextrous Democratic candidate, the New England people ought to consider their very limited boundary, the extensive, vacant world west of them, to a share of which they are entitled; the importance of keeping open the roads through which their vast surplus population can emigrate into other parts of the same Nation, carrying with them their steady habits, their industry and their ingenuity, to which every other people pay deference and give place. My good friend, I frequently hear from you. I observe your efforts to restore our Nation to its usual state of health and peace with pleasure. I read with indignation the foolish ravings of those who hate you because they know you not."


Colonel Lyon's most serious mistake as a public man was his opposition to the war of 1812. It probably lost him his seat in Congress. Having been thrown out of alignment with his party upon the policy of an embargo and non-intercourse, he drifted by easy gradation into opposition upon the subject of war. But his opposition was not factious. At best it was a temporary aberration from his usual clear-sighted, practical judgment upon questions of public policy. He did not sulk in his tent, but built gunboats for the war at his shipyards and, being too old himself to go, sent his sons to the field to do battle for their country. A few years after his vision cleared, and he frankly admitted in a letter to President Monroe June 7, 1817, that he had undergone a change of mind. "Whatever," said he, "I might have thought of the untimeliness of the late war, I now consider it the most fortunate war for the world that mankind ever experienced, as had it not been for the lesson that war has taught Europeans, there would prob-

ably, before this time, have been on foot a crusade of the old world for the destruction of the liberties of the new world, which might have been attended with the most disastrous consequences."

Colonel Lyon not only acted with the opposition against the embargo, but more especially in condemning the right of a Congressional Caucus to nominate candidates for President and Vice-President. He continued always to be a Democrat, yet his attitude on these important questions in the House of Representatives cost him his seat at the next election, and for the time undermined his popularity in Kentucky; just as his old antagonist in many a fierce debate, John Randolph of Roanoke, for the same reason was left at home in Virginia. Colonel Lyon was among the very first to oppose the prevailing custom of putting forth candidates for President by a Congressional Caucus, and although the custom survived for some years longer, it was finally abandoned. His speeches in Congress, and his letter in 1822 to Niles's Register, aided powerfully in educating the public mind to the necessity of reforming the system and lodging the duty of choosing candidates where it rightly belonged, with the people of the several States. National nominating conventions, composed of delegates chosen by the people on the same basis as they elect representatives and senators to Congress, at last superseded the caucus system, and vindicated the sagacity of Lyon in his advocacy of the change. But his stinging strictures on the nomination of Mr. Madison probably contributed in no slight degree to the loss of his seat in Congress. It was known that he preferred James Monroe to any other man as Mr. Jefferson's successor, and even after Mr. Madison was elected, and on the very day

before the Senate and House met jointly to count the votes and declare the result, Lyon made a strong anti-embargo speech, in which, with characteristic boldness, he attacked the hero of the hour as the "Caucus President."

"We have," he said, "a Constitution which provides for the meeting of 142 members in this House and 34 in another to consult for the common good and provide for the safety of this Nation. We may talk here, here we may vote, here we may meet to collect a majority to order the registering of the decrees of a sort of Jacobin Club called a caucus, who hold their midnight convocations to consult,—not the good or the safety of the Nation, no; that could be best done here—no, sir, it is to consult what can be done to save the party, not the Old Republican of 1798; no, that party is broken down. I don't hear that yourself (Mr. Macon) and many others of that Old Republican party meet in those caucuses, those nightly meetings. It is, it seems, the Embargo party who meet in the Senate rooms under pretense of consulting and devising means for the national benefit, yet in their discussions they cannot avoid dwelling upon the dangerous situation of their party. It was in the great or little caucuses that this war-whoop commenced; it was there discussed and recommended as a party-saving measure. It seems that we are in future to look for all national measures to be first canvassed in those midnight meetings by those self-created caucus gentry. It seems that every measure proposed for national benefit, however applicable to the state of this Nation, is to be scouted out of this House at the first glance, merely because it is not the child of this caucus; our work is thus to be laid out for us in the midnight caucuses, and we are to be called upon to be present





while these measures receive a vote of sanction in this House, which is in future to act the part of Bonaparte's mock Parliament. We are to meet to-morrow here to attend the registering of the election of a caucus President; we are to have a caucus army, I understand, a caucus non-intercourse, a caucus loan of ten millions, equal to the whole capital of the Bank of the United States. And all this not to save the Nation, but the Embargo party."<sup>a</sup>

Colonel Lyon was so busily engaged in superintending the building of a fine vessel at his shipyards in Eddyville about the beginning of the war of 1812, and loading it with a valuable cargo, that he neglected his political interests, and this, in connection with his waning popularity, lost him the election for the Twelfth Congress. His vessel was wrecked on the Mississippi during the trip to New Orleans, and together with the greater part of the valuable cargo was lost. His wealth had already been impaired by the first embargo, and this last stroke of adverse fortune reduced him from affluence to comparative poverty. His son Chittenden assumed his liabilities, as before stated, to the amount of twenty-eight thousand dollars, and with his other sons, who were all prosperous, came to a beloved father's assistance. But Colonel Lyon was a proud man, and his unbroken spirit chafed under the restraints of dependence, even upon those whose delight it was to render to him the offices of love and duty.

For the first time in his life he turned to his old political associates at Washington in quest of official preferment. He wrote in 1818 to Senator Armisted C. Mason of Virginia, the son of that devoted friend in the dark days of 1798, Gen.

<sup>a</sup>Annals 10th Congress, February 7, 1809, pp. 1420-1422.

Stevens Thompson Mason, and to another staunch friend, the celebrated Nathaniel Macon of North Carolina, and soon learned from each of those gentlemen that they had brought his application to the notice of President Monroe, who expressed much sympathy and respect for Colonel Lyon, and an intention to appoint him to a good office.

In 1820 the President appointed him United States Factor to the Cherokee Nation in the Territory of Arkansas, and the old statesman immediately set out for the then frontier regions of the Union west of the Mississippi. The same indomitable spirit which blazed a path through the primeval forests of Vermont and Kentucky was not yet quenched, and soon Spadra Bluff, his new home on the Arkansas river, about 140 miles above Arkansas City, felt the impulse of that energy and enterprise which the founder of the towns of Fair Haven and Eddyville had displayed everywhere during his long and eventful life. The people of Arkansas elected Colonel Lyon as their second delegate to the Congress of the United States, a further proof of his magnetic character in every situation of life.

But he did not live to take his seat. His astonishing activity was as marked now as at any period of his life, and he seemed to forget that there were any limits upon his vital resources. He performed a journey shortly before his death which the hardy people among whom he resided long talked of with astonishment as truly extraordinary. The Arkansas Gazette, in the month of May, 1822, published an account of this journey, and Niles's Register for June 29, 1822, copied it as a memorable performance. At the beginning of that year Colonel Lyon built a flat boat at Spadra Bluff and loaded it with furs, peltries and Indian commodities, and on the 14th of Feb-

ruary launched it on the Arkansas river, bound under his own charge to New Orleans. The long trip was successfully made, and his collection of furs, peltries and Indian commodities was exchanged at New Orleans for factory supplies, storekeepers' goods, various utensils for the Cherokees, iron ware, such as he used to turn out at his Fair Haven forge and Eddyville foundry, and the machinery for a gigantic cotton gin which he was erecting, the largest one up to that period ever seen in Arkansas. The return passage was begun in the roughest weather of an inclement season, but it did not chill the fires of the old pioneer, for on the way back, like another Daniel Boone, he longed to thread once more the Kentucky forests, and after ascending the Mississippi to the mouth of White river, he there stored his cargo and set out for a flying visit to his old hearthstone and friends at beloved Eddyville. He soon returned, having gone through a journey within three months, in his seventy-third year, of over three thousand miles. All this was accomplished in wintry weather and against currents so adverse that oftentimes on his trip down the river from Arkansas his boat ran aground, when he was the first to jump into the water "to shove her off;" and again in ascending the stream on his return to Spadra Bluff he guided the hands while they dragged along the grounded boat, and always insisted upon doing his share in "rowing, steering or cordelling." The editor of the Arkansas Gazette saw Colonel Lyon as he ascended the river, and could not discover that the long journey had, in the least, affected his health. But he was mistaken. "This," says Wharton, "was the last time he was to drop down the current of the Mississippi, or visit, by way of an interlude, his second home in Kentucky, for robust

as he was, the chill of old age was at hand, and, like the night of northern climates, was destined to drop upon him without the notice of an intermediate twilight."

Among the family records piously preserved after his death by his bereaved widow and children at his old home in Eddyville, the account was kept of Colonel Lyon's last illness and death at far off Spadra Bluff. An old and faithful retainer, George Skinner, like another Scottish seneschal, not only served him in Vermont, and went with him to Kentucky, but with a devotion that never relaxed, followed him across the Mississippi to the distant nation of the Cherokees. Skinner related with what precision his master, when his sickness began, ordered every detail, the hours for medicine, the adjustment of business, his farewell messages to loved ones, and then occurred his placid death like an infant falling asleep. Scenes of childhood seemed to flit before him, as is often the case with the old. Again he wandered through the Vale of Avoca, in his native Wicklow, and perhaps thought of Moore's famous lines,

"Sweet Vale of Avoca how calm could I rest  
In thy bosom of shade with the friends I love best,  
Where the sorrows we feel in this cold world shall cease,  
And our hearts like thy waters be mingled in peace."

Matthew Lyon died at Spadra Bluff on the 1st of August, 1822, lamented by the whole American people; a man of action and deeds which left their impress on his times; a patriot in every fibre, whose vote made a President; a pioneer along whose pathway Romance walked side by side with History; a hero whose memory is cherished in Kentucky and Vermont among the foremost and bravest of their sons.

The remains of Matthew Lyon were interred at Spadra Bluff, but in the year 1833 his son Chittenden Lyon and other members of Col. Lyon's family resolved to transfer the body to Kentucky, and re-inter it at Eddyville. This was accordingly done, and the ceremonies of the reburial drew together an immense assemblage of the friends of Matthew Lyon. A handsome monument was erected over the grave, with suitable inscriptions commemorative of the founder of Eddyville. Old men still living remember the impressive services, and speak of the bringing home of "bell and burial" for the beloved founder, as the most solemn event in the history of the town.



## APPENDIX.


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### WHAT WAS COLONEL LYON'S CHURCH?

While collecting materials for this biography I addressed inquiries to the descendants of Matthew Lyon in regard to his religious faith. A remark in his letter to John Adams, "It is a maxim with the lawyers and popish priests, I believe, that the greater the villainy to be exculpated from, the greater the fee," had led me to suppose that he was not a Catholic. Another remark by Colonel Lyon, March 27, 1810, during a speech he made in the House in opposition to the embargo and non-intercourse as useless self-punishment, served still more to strengthen the impression that he was no Catholic. That remark was as follows: "They would not believe us when we told them the attribute or thing they called virtue was mere monkish self-flagellation and debasement."

But occasionally letters came to hand which left the question in doubt as to his real religious convictions. In Connecticut and Vermont Lyon had been thrown exclusively from his fifteenth year into the society of Puritans and other non-Catholics. In Kentucky he found a flourishing Catholic colony, the history of which has been admirably sketched by the late Archbishop Martin John Spalding. Associations and environment often have much to do with the state of religious opinion. Lyon formed an intimate acquaintance and friendship with Father Abell and Father Durbin, well-known priests,

of Kentucky. A great-granddaughter of his, in a letter now before me, says: "Have you met our cousin the Catholic priest, or do you know anything of the — Hennessy affair at Lyon's Iron Works in Vermont in 1796?" Mr. L. E. Chittenden, great-grandson of Governor Thomas Chittenden of Vermont, and Register of the Treasury under Abraham Lincoln, wrote, February 3d, 1881, in relation to Matthew Lyon: "I do not think he adhered to any religious creed whatever, not even that of his Catholic ancestry." April 4th, 1881, ex-Senator W. B. Machen, who married Lyon's granddaughter, wrote: "He was probably Catholic in his faith, but no religionist in his practice. His wife was a Methodist." Mr. Thompson A. Lyon, July 21st, 1881, said as follows: "You wrote me sometime ago to know something as to the religious belief of grandfather. From an anecdote I heard of him to-day I am inclined to think he was a Catholic, as he was frequently visited by Father Abell of Washington county, who was in that day a prominent priest in this State." Another descendant, Mrs. Mary Shelby Wyatt, of Fredonia, Kentucky, April 17, 1899, wrote as follows: "There is one point I wish you would hunt up about our great-grandfather,—was he a Catholic or Protestant? My mother told me one of her earliest recollections was of hearing old Father Durbin celebrate mass in her father's house. This would seem to indicate the family were Catholic." Miss Fannie M. Hepburn, another descendant, December 6th, 1899, said: "In reply to your inquiry as to the religious faith of my great-grandfather, Col. Matthew Lyon, I regret that I cannot give you any satisfactory information. I know that he was not a member of any church, and I believe there is no record of his ever having made a pro-





fession of religious faith." After diligent inquiry, the above meagre information is all I have been able to obtain in relation to Colonel Lyon's religious opinions.

LYON'S TESTIMONY BEFORE A CONGRESSIONAL COMMITTEE  
APPOINTED TO INQUIRE INTO THE CONDUCT OF GENERAL  
JAMES WILKINSON.

"COLONEL M. LYON'S DEPOSITION.

*Questions proposed to the honorable Mr. Lyon, by General  
Wilkinson.*

Have you any knowledge of Colonel Burr's intention to offer himself as a candidate to Congress for the State of Tennessee, before you left this city in the spring, 1805; if so, will you be pleased to state the particulars?

Did not Colonel Burr cross the mountains that spring, descend the Ohio, and proceed to Nashville, in Tennessee, with the professed intention to canvass for the proposed election to Congress, and did you not believe him sincere?

Did you see or converse with Colonel Burr, after he reached the western country, concerning his election to Congress, from the State of Tennessee?

Did you not, in a letter to General Wilkinson, dated November 19, 1805, make allusion to the said election of Burr, in the following terms: "B. . . . lost the prospect in Tennessee, by not pursuing the road I pointed out for him?"

*To the honourable committee of the House of Representatives of  
the United States.*

The undersigned, in answering the questions, proposed by General Wilkinson, and handed him by the chairman of the

committee, considers himself bound to explain the state of his acquaintance, with both General Wilkinson and Colonel Burr.

With General Wilkinson, I have had acquaintance, since the retreat of the army from Ticonderoga, in 1777. His conduct during that memorable campaign, which ended with the capture of Burgoyne, and his army, endeared him to me: he seemed to be the life and soul of the headquarters of the army: he, in the capacity of Adjutant-General, governed at headquarters. He was a standing correction of the follies and irregularities, occasioned by the weakness and intemperance of the commanding general. This regard for General Wilkinson, followed him through the various stages of his public life.

I was, in the time of Adams's administration, distressed, for fear he was entangled with that party: from this anxiety, I was measurably relieved by the General's conduct on the change of the administration. In an interview at my house, in Kentucky, in the spring or summer, 1802 or 3, he explained and elucidated his conduct, on that point, to my satisfaction; of course, when I came to Congress from Kentucky, in 1803, I was friendly disposed towards him, and when we met, we did not fail to express our reciprocal affection. I was so much the General's friend, that on his appointment as Governor of Louisiana, I recommended him in my circular letter, of which I sent many copies to my friends in that territory.

Some time in the winter, 1805, coming one morning from Alexandria, by way of the navy yard, and passing by the house where the General lived, he called on me to come in; after congratulating him on his appointment as Governor, and some other conversation, Colonel Burr's name was mentioned.

Colonel Burr had no claim to friendly attentions from me. I had no acquaintance with him before the contest concerning the presidential election. I had resisted the solicitations of my friends, who wished to introduce me to him in March, 1801, on account of his misconduct in that affair; yet when I saw him persecuted for what I considered no more than fair play among duellists, I advocated him; this brought about an acquaintance, by no means intimate. In the course of the conversation between the General and myself, we regretted the loss of so much talent as Colonel Burr possessed; we viewed him on the brink of a precipice, from which, in a few days, he must fall; from the second station in the nation, he must fall to that of a private citizen.

The General entered warmly into his praise, and talked of a foreign embassy for him. This I assured him, could not be obtained. The General then asked me, if I could not think of something, which would do for the little counsellor? I replied, that he might very readily become a member of the congress, which were to meet the coming winter, and in the present state of parties, considering the eclat with which he was likely to leave the senate, he might very probably be speaker. The General was eager to know how he could be elected to congress. I explained; let Colonel Burr mount his horse the fourth of March, and ride through Virginia to Tennessee, giving out that he intends settling at Nashville, in the practice of the law. Let him commence the practice, and fix himself a home there; his rencounter with General Hamilton, will not injure him. Let him attend the courts in that district. Let him in July next, intimate to some of the numerous friends (his pre-eminent talents and suavity of manners will have made

for him) that he would willingly serve the district in congress; they will set the thing on foot, and he is sure to be elected; there is no constitutional bar in the way. As I finished this explanation, the General rose, and in a seeming ecstasy clapped his hands on my shoulders, exclaiming with an oath, this will do, it is a heavenly thought, worthy of him who thought it. He rang the bell, ordered his boots, and said he would go instantly to inform the little counsellor, and would call on me in the House in the course of two or three hours; he did so, and informed me he had, at Col. Burr's request, made an appointment for me to call on him. I was punctual. Col. Burr lived at Mr. Wheaton's, near the north side of Pennsylvania avenue, not far from Rhodes's. It was in the evening. I knocked, or pulled the bell, several times, before a servant came, who informed me that Col. Burr was not to be seen, he was engaged with company. I gave the servant my name, and directed him to go and tell Col. Burr, that I had called. Col. Burr came, and invited me up stairs, and requested me to sit with Mrs. Wheaton half an hour, when he would be with me. In about three quarters of an hour he came, and apologised for his delay. I observed to him, that he had a large company, among whom I had recognized *the voices of Generals Wilkinson<sup>a</sup> and Dayton*, although I had not heard of the latter gentleman's being in town; I hoped he had not hurried himself from them on account of seeing me; that I had been well entertained by Mr. and Mrs. Wheaton, and would have been so an hour or two longer, if he wished to remain with his company. Colonel Burr said the meeting was

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<sup>a</sup>General Wilkinson was then engaged with Burr and Dayton, on the subject of the Canal, proposed to be cut at the Rapids of the Ohio.

about some land concern, in the western country, and they had gone as far as they could with it at that time; my coming had been no interruption; he was very glad to see me, and soon commenced on the subject of the coming election in Tennessee. I repeated what I had said to General Wilkinson. He admitted the probability of success in the course I pointed out; but did not seem to be so much enamoured with the project as General Wilkinson. He said, he was obliged on the fourth of March, to go to Philadelphia, from thence he would go to Pittsburgh, and thence to the western country by water. I offered him a passage in my boat from Pittsburgh, if he should be there when I should have done my business on the Monongahela, and descended to Pittsburgh. I assured him, however, all chance of obtaining the election in Tennessee, would be jeopardised, if not lost, by such a delay. He told me he had ordered a boat prepared for him at Pittsburgh; and he talked as if his business in Philadelphia was indispensable, as well as his voyage down the Ohio. In stating this conversation, I give the substance of all the other conversations I had that winter, with Col. Burr at Washington, except that in some of them, the embassy was talked of. He observed that my friend Wilkinson, thought I would be a proper person, in a blunt way, to mention it to the President. He asked me, if I dared to tell the President that he ought to send Col. Burr, on the foreign embassy talked of? I told him very bluntly, I would not.

Colonel Burr arrived at Pittsburgh, the evening before I left that place. He assured me, General Wilkinson would be on in a day or two, and begged of me to wait their company. I gave him to understand, that my business would not admit of my waiting one moment for the company of any ceremonious

gentleman. In all the journeys of my long life, I had not waited half an hour for the company of any man.

By extraordinary exertions of his hands, (his boat being light, and mine being heavy loaded and frequently aground) Colonel Burr overtook me in about thirty-six hours after I left Pittsburgh, and we lashed together to Marietta: he stopped at Blennerhassett's. At the falls of Ohio, where I had considerable business, he overtook me; there I repeated to him that the delay he had made, had ruined his prospect of election, as that prospect depended solely on domestication. At the falls, he changed his flat boat, for a small boat, which he ordered to Eddyville, (where I live) and rode to Nashville. The newspapers described his arrival and reception there, as one of the most magnificent parades that ever had been made at that place. They contained lists of toasts, and great dinners, given in honour of Colonel Burr; every body at and near Nashville, seemed to be contending for the honour of having best treated, or served Colonel Burr. This I had expected, and when Colonel Burr called on me, on his way from Nashville, to his boat, I inquired if any thing had been said about the election. He answered, not one word. I observed, that he ought to think no more of it. In answer he said, he had little doubt of being elected a delegate from Orleans territory, but he would choose to be a member, and insisted, that I should write to a friend of mine (who had paid him the most marked attention) to see if the thing could be yet set on foot, and to inform him, he would be a resident in Tennessee. At the time of the election, he requested me to communicate the answer to him at Natchez. I complied with his wishes, the answer I received being unfavourable to him. About the same time, in answer to a letter re-

ceived from General Wilkinson, I probably wrote the words, recited by the General in his question to me. What I had done for Colonel Burr, was almost wholly dictated by my friendship for the General. That letter of the General's, was preserved by accident, among a bundle of uninteresting papers, for four or five years; since then it has been here, and is now presented to the committee.

I have now answered all the questions presented me, except that couched in the words, "Did you not believe him sincere?" In answer to which I say, no doubt he would have been sincerely rejoiced to have been elected. There seemed too much mystery in his conduct. I suspected him to have other objects in view, to which I could not penetrate. These objects, I then believed, were known to General Wilkinson; but I had no idea at that time, of his having any treasonable project in his head.

I am, very respectfully, your obedient servant,

M. LYON.

[Affirmed to, on the 25th February, 1811, before E. Bacon, Chairman of a Committee, appointed to inquire into the conduct of Brigadier-General James Wilkinson.]"

*The following Letter accompanies the above Deposition.*

[ " PRIVATE. ]

*Massac, June 14th, 1805.*

Dear Sir.—An opportunity offering by Captain Bird, I embrace it to drop you a line of remembrance.

I have been here since the 4th instant, and should have sent

for you, if I had expected so long a detention, as I wish your opinion on several subjects, inconvenient to letter.

The organizations and appointments of my predecessors, with the system of jurisprudence which has been introduced, may, I fear, subject me to some unpleasant and unprofitable alternatives. In general, it costs much more to undo than to do, but I believe it is always better to correct evils, than to submit to them.

I shall reach St. Louis, before the first of next month; shall confirm the past by proclamation, and will take time for observation and inquiry, before I make a step. From what I have seen and heard here, I find opinions of men and things, beyond the great river, depend so much on sympathies and antipathies, that I can place no confidence in what I do hear. Whom do you think best entitled to consideration, merits being equal, the voluntary or involuntary vassals of Spain? Will you come to see us, and when? I beg you to believe, a visit from you will give me pleasure. I shall be obliged to send back some boats for stores and provisions, and about twenty-two days hence, you may find a passage up from this place to St. Louis. Captain Lewis is mounting the Mississippi. He has sent back a large boat from his wintering ground, about 1600 miles up the Missouri, and by Indian report, was then about 900 miles from its source, from whence I expect, he will return in the autumn. It is said, Meigs does not accept his appointment; in that case, Easton will be the only officer of the government with me. The commissioners of land claims, are Mr. Lucas, (of congress) Mr. Penrose of Philadelphia, and a Mr. Donaldson of Baltimore, recorder; they and the secretary, are all behind. Colonel Burr left this the 10th. I have furloughed D.



Bissell, agreeably to my promise to you; he goes by New Orleans.

Farewel, God bless you.

JAMES WILKINSON."

*Honourable M. Lyon."*<sup>a</sup>

MATTHEW LYON TO JOSIAH QUINCY.

I discovered that very friendly personal relations existed between Colonel Lyon and the celebrated Josiah Quincy, and addressed a letter to President Quincy's son and biographer, Mr. Edmund Quincy, not knowing of his death. My letter was answered by Miss Eliza Susan Quincy, his sister, who I afterwards learned had aided her brother materially in writing the *Life* of their distinguished father. Miss Quincy replied as follows:

"WOLLASTON, MASS., May 16, 1881.

Mr. McLAUGHLIN:

Your letter of May 10th was received by H. P. Quincy, M. D., the son of my late brother, Edmund Quincy, and given to me to answer.

My brother Edmund was in his 70th year; he enjoyed his health and intellectual vigor to the last, and died of apoplexy, on the 17th of May, 1877, deeply regretted by his family and friends, by whom he was greatly beloved and valued. I enclose a poetical tribute to his memory by his intimate friend, J. R. Lowell, our present Minister in England.

In reply to your request, I enclose two letters of Mr. Lyon's, which you need not return. They are very good letters, and I shall hope you will send me a copy of your *Memoir* when it is published. If I find any more of these letters I will send

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<sup>a</sup>Wilkinson's *Memoirs*, II. Appendix, No. LXVIII.

them, but I believe these are all which exist. Mr. Lyon was an occasional, not a regular, correspondent of Mr. Quincy.

Sincerely yrs.,

ELIZA SUSAN QUINCY.

The letters, kindly presented to me by Miss Quincy, are here subjoined:

" EDDYVILLE, *December 13, 1812.*

Hon. JOSIAH QUINCY.

*My good friend:*—By the last mail I received Documents under your stamp; this is the only evidence I have had for some time that I am remembered by a man I very much respect.

I may tell you that I am very pleased with the part Massachusetts has acted in the Political Drama before us, her Governor has won my heart; her Assembly have acted like men who sincerely loved their country, but the New England States are (I see) beaten in the Political race for President. The Democratic spirit has carried the Nation far on toward ruin, but I cannot, will not despair for this Nation at the foundation of which I have labored with as much zeal as a devotee ever labored for Heaven or his God. You must not despair. Massachusetts must not despair; let me see no disposition in her to disunion. She must save the Nation she created; she has the greatest power and influence to do so. She is now regenerated on the ancient principles of the Revolution, let her move majestical toward the main object, the salvation of the Nation, and all will be well. Should she move one step toward a dissolution of the Government, she loses every friend in the western country; she loses her own importance,

and her treachery may sink the Nation she has raised. Why, my dear sir, have you withdrawn from the public stage of action? You cannot say you were poor, or spending your fortune at a rate you could not afford. We are not made to live for ourselves; where God and nature have given talents and opportunities, the community with which we act and are connected have a claim on him to whom these talents and opportunities are given. You have had much mortification it is true, but you have been paid for it in the consolation of the men whose opinions are with yours, men whom you know to be true patriots.

I see my old antitype J. Adams is yet noticed. I cut out two slips from a newspaper merely to tell you by the inclosure of them, that such were my opinions of him and his son many years ago. He and I offered for electors, and fared much alike. I have always told you that the people of the Western country, notwithstanding their strong prejudices in favor of Virginia, were docile, but they must be talked to face to face, they must be informed, they must be courted. I have not had leisure for these things, but the misfortunes that have befallen me in consequence of the Embargoes and War have left me at leisure to attend to these things, and I will do it. I was invited to be a candidate for their delegate in Missouri Territory, and those who invited me as well as myself were persuaded I was eligible; the people of the Territory were anxious for my service, but a group of interested lawyers persuaded them I was ineligible, and the thing was given up. I was in that Territory on that and other business when the hopeless election was here. It is said that my rival Hopkins is dead; I think this report is not true, but he is politically dead, and when opportunity presents,

I will make those exertions the custom of this country requires in order to be elected. Give my respects to my friends, and assure them I have not forgotten them; they will be a majority in the next Congress, and they can check the progress of the Nation to ruin.

I write by this mail to my brother Chittenden, and shall not repeat to him what I have said to you.

With affectionate regard, I am truly your friend,


M. LYON."

SECOND LETTER TO MR. QUINCY.

" EDDYVILLE, *April* 6th, 1814.

Hon. JOSIAH QUINCY.

Dear Sir: The step I most dread and have ever dreaded seems ready to be taken, I mean the separation of these States, and that through the folly and apathy of the National Government, the audacity and ignorant daring insolence of its supporters on the one part, and the want of patience and forbearance of the suffering people of the North and East on the other. Those sufferings are great, very great indeed, and such in point of magnitude and provocation as no other people with equal spirit and understanding would bear, when they could throw off the burthen with the same convenience; yet I still hope that New England will act worthy of themselves. They are truly the most enlightened people on earth, they can shift better under adverse circumstances, of course bear with privations better than any other people on earth, and my daily prayer is that they continue their allegiance to the Union until God shall turn the hearts of their domestic oppressors, or until Providence shall force a peace on our rulers which they cannot refuse.



I know, my dear Sir, that the gasconading threats of the would-be conquerors of Canada cannot intimidate the sons of the men who refused to submit to British mandates, and supported that refusal with energy and effect in the field of battle.

When I reflect on the danger of separation, I ask myself what is this danger incurred for? and it seems to me like nothing at all; there are no orders in council now to contend about; nearly all the ports England declared to be blockaded are now open to Neutrals; we have declared that we will not employ British seamen, which will in treaty draw from the British Ministry a declaration that while we act up to that declaration they will not molest our seamen. I hope Bonaparte's humiliation has emancipated our government, so that they are not obliged to carry on this War in obedience to his mandate, and instead of a peace between some of the Northern States and Britain we shall hear soon of a National peace with that power. I confess the prospect is not so brilliant as I wish, when I see the names of those appointed to negotiate, and when I observe the delay and the place our Government has chosen for negotiation. If they had been in right earnest they would have sent a mission direct to London, and ere this had a cessation of hostilities.

Permit me, my dear sir, once more to remind you of the importance of preserving the Union to the last extremity. Besides the reasons commonly urged, and well enforced by Mr. Dexter, your dexterous democratic candidate, the New England people ought to consider their very limited boundary; the extensive vacant world west of them, to a share of which they are entitled; the importance of keeping open the road for their vast surplus population to emigrate into other parts of the same

Nation, carrying with them their steady habits, their industry and their ingenuity, to which every other people pay deference and give place. I can remember when nine-tenths of the people of New York State were Dutch, when their population was inferior to that of Rhode Island. They are the first of the States now, and they are New England people. Ohio State will contain within a few years a majority of New England people; several counties in Virginia have majorities of New England people. You would be surprised to see how the little Colony from New England here has Yankeeified the people. These are considerations of no small weight, and ought to be thrown in the scale against the present sufferings of New England. They have a right to consider that their sufferings and vexations will be immeasurably compensated by keeping open the door for their posterity to emigrate to comfort, opulence and consideration, if not to eminence.

I am, with truly affectionate regard, your friend,

M. LYON.

P. S.—My good friend: I frequently hear from you. I observe your efforts to restore our Nation to its usual state of health and peace with pleasure. I see with indignation the foolish ravings of those who hate you because they know you not. I take your word for it that to remember me is not unpleasant to you. I would like to see the sentiments contained herein published.

M. L."

I was informed by the late Mr. Thompson A. Lyon, of Louisville, that among the most intimate of his grandfather's friends were Nathaniel Macon of North Carolina, styled by Jef-

ferson "*Ultimus Romanorum*," Stevens Thompson Mason of Virginia, and Albert Gallatin, the ablest of America's early financiers. My informant said that his grandfather received many letters from these gentlemen, some of which were of great historical value. He went to Eddyville from his home in Louisville to search for them for me, but unfortunately all were gone, and the quest was unsuccessful. The following letter from Mr. Gallatin is taken from his published works:

LETTER FROM ALBERT GALLATIN TO MATTHEW LYON.\*

"NEW YORK, May 7, 1816.

Sir.—I was much gratified by the receipt of your friendly letter of 29th October last, which ought to have been sooner acknowledged, but which I will not, before my departure for Europe, leave unanswered. I am sorry for your losses, but hope that the property you have left will be sufficient to make you as comfortable as your active industry and knowledge of business certainly deserve.

The war has been productive of evil and good, but I think the good preponderates. Independent of the loss of lives, and of the losses in property by individuals, the war has laid the foundation of permanent taxes and military establishments, which the Republicans had deemed unfavorable to the happiness and free institutions of the country. But under our former system we were becoming too selfish, too much attached exclusively to the acquisition of wealth, above all, too much confined in our political feelings to local and State objects. The war has renewed and reinstated the national feelings and

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\*Writings of Albert Gallatin, edited by Henry Adams, vol. I, p. 700-701.

character which the Revolution had given, and which were daily lessened. The people have now more general objects of attachment with which their pride and political opinions are connected. They are more Americans; they feel and act more as a nation; and I hope that the permanency of the Union is thereby better secured.

It is with reluctance that I have accepted the French mission; and I hope that my absence will be short, and that I will soon be able to return with my family in the bosom of my friends and country. My private business, to which I had during the last fifteen years hardly attended, has suffered and will continue to suffer. Amongst other objects, I fear I may have lost the tract of 666 2-3 acres on Cumberland River, having never taken any measures to remove the man who had taken possession. I do not know his name; and I will thank you to communicate it to Mr. Robert Alexander, President of the Bank of Kentucky, at Frankfort, together with any information you have respecting that man's claim and disposition, and the quality and value of the land. I have given to Mr. Alexander a power of attorney for my Kentucky lands, and told him that you would give him that information.

Mrs. Gallatin sends you her compliments. I never received your letter respecting a glass-house and the procuring of glass-blowers. I would attend to it if I knew what capital you and your friends can employ in the establishment. On that point success depends. There must be no embarrassment, or business would be ruinous. I commenced mine with about ten thousand dollars, and made no profit during the first years, nor until the capital amounted to near twenty thousand. That now employed in our glass-works, including outstanding debts,



exceeds forty thousand, and gives us an annual profit of about eight thousand, of which only one-seventh part belongs to me. I must observe that there is an inconvenience in your situation. You are *below* the greater part of the fast-improving country north of the Ohio, in which the great consumption of glass takes place. The works situated high up the Ohio, at Pittsburg and above, have in that respect a great advantage. At New Orleans market you must meet the competition of the cheap German glass.

I have lost three old friends,—Mr. Savary, Thos. Clare, and Mr. Smilie. You have heard that Dr. Jones, of Virginia, Richard Brent, and Stanford, of North Carolina, are also dead.

With sincere regard, &c.,

ALBERT GALLATIN."

#### LETTER OF COLONEL LYON TO SENATOR ARMISTED C. MASON.

The losses of Colonel Lyon, referred to by Mr. Gallatin, led to the first application for office, except from the people at the ballot-box, which Lyon ever made to government. It proved successful. President Monroe, unlike Mr. Madison, was his friend, and appointed him United States Factor to the Cherokee Nation. Colonel Lyon had been more in the habit of bestowing patronage on others than asking for it on his own behalf. This letter to Mr. Mason, who soon after fell in a duel, is interesting and of historic value.

I am indebted for it to the granddaughter by marriage of President Monroe, Mrs. S. L. Gouverneur, Jr., of Washington, D. C. With a kindness which I cannot too gratefully acknowledge, Mrs. Gouverneur copied it for me from the collection of President Monroe's invaluable literary remains. The State

Department was negotiating for the purchase by Government of the collection, and hence Mrs. Gouverneur could not send me the original. If all the possessors of valuable documents were as obliging as this cultivated lady, our literary men would be greatly assisted and benefited:

“ FRANKFORT, *Jan'y.* 16th, 1817.

Hon. ARMISTED C. MASON:

Dear Sir: I am here to repel an attempt to remove the Seat of Justice from Eddyville and have spent the Christmas holidays with your friends.

Until I saw him here I had but little acquaintance with your brother Jack. I am extremely pleased with him, and I do hope you will succeed in getting him the place of District Judge. Should he obtain the appointment I do believe he will do honour to the station, to the family, and to himself.

By having lost a fine vessel, and the greater part of a valuable cargo at the commencement of the late War, and by an immense loss occasioned by the first Embargo, I am reduced to dependence on my children—children whom I had properly educated to business, to morals, to integrity, and a proper sense of honour. They are in a good way, and will ever use me kindly, but dependence is dependence, however the kindness of friends may soften it. By giving all my attention to the building that ship and providing that cargo, I lost the pending election, and my standing in the Nation, and my situation is so remote, that I found when I came here that I was as much of a stranger as if I had just come from Russia. Having taken it in my head for the first time in my life to ask from the Government an office, I know of no person so proper to

apply through as the son of my long lost, best friend, and I do this because my situation with the Delegation of this State is such that I have nothing to expect from them. I know neither of our Senators. I never was intimate with Mr. Clay, and he knows I always preferred Mr. Pope to him;—Johnson and Desha have long hated me for my opposition to the Embargo System. McLean, Sharp and Taul represent my old district,—to the first I have always had an aversion,—the second, if he ever was a friend, he was a cold one, the last was a friend. All three impute to my pen a portion of that zeal against the Compensation law which has allowed them to stay at home in future.<sup>a</sup> McKee only do I know of the balance of the Kentucky delegation. He thinks well of me, but as we live remote from each other and we have corresponded but little since I left Congress, I have no more to expect from him than a good word whenever he is called upon.

I see there is a probability of a Territorial Government in the Eastern part of the new Mississippi Territory. I have long wished to remove to that country. The climate would suit me; I believe my life, health and strength have been lengthened ten years by my removal from Vermont. There has been a constant removal to that country from my old Congressional District, and the best friends I have had in the Western country are there. Not having the means to establish myself I wish for one of the appointments there which the Government will have in their power to bestow, and I may be thought qualified to fill.

Believing you will be disposed to serve me, and thinking

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<sup>a</sup>This "salary grab," like that of 1873, proved fatal to nearly every member who voted for it.

it no more than proper that you should be able to speak of me understandingly, I will give you a short sketch of my political life.

In 1774 when British encroachments on our rights was raising the spirit of resistance, I laid before the youngerly men in my neighborhood, in the country now called Vermont, a plan for an armed association which was adopted. We armed and clothed ourselves uniformly. We hired an old veteran to teach us discipline, and we each of us took the command in turn, so that every one should know the duty of every station. With a part of this company of Minute Men, immediately after the Lexington battle I joined Ethan Allen. Eighty-five of us took from one hundred and forty British veterans, the fort Ticonderoga, which contained the artillery and warlike stores which drove the British from Boston, and aided in taking Burgoyne and Cornwallis. That fort contained when we took it more cannon, mortar pieces and other military stores than could be found in all the revolted Colonies. At the rate captors have been paid in the late War, our plunder which we gave to the Nation without even pay for our time was worth more than a million of dollars. I persuaded many of the Royal Irish ——— Company taken there to join us, who afterwards distinguished themselves in our cause. In the same month, April 1775, for the purpose of taking an armed sloop in the Lake it was necessary to mount two heavy pieces of ordnance at Crown Point. Our European artilleryists said it could not be obtained without a ruinous delay. With the assistance of a few back-woodsmen, and some timber readily procured, I mounted them and put the match to the first cannon ever fired under the auspices of the American Eagle, whose renown has spread far and wide.

The first summer I was appointed one of the first Revolutionary adjutants. In 1776 I accepted of a second Lieutenancy in a corps designed for the defense of the Vermont frontier; their destination was to be fixed by the Committee of Safety, of which I was a member. General Gates influenced by designing Tories, ordered the party then consisting of less than 100 men, 70 miles in advance of our army, and within 40 miles of the enemy's grand army; the men knowing this was contrary to the will of the Committee of Safety, their fathers, and their friends, mutinied and left the station. The officers were blamed by the exasperated Gates, and I who had done everything to support the General's orders was, with the rest of the officers, cashiered. Not discouraged by this ill usage, and being received with open arms by my Colonel, and the other officers of my militia regiment, I was in my station of Adjutant in the retreat from Ticonderoga in 1777, and on account of the services I rendered that army in that difficult retreat, the Generals who had seen me abused the year before, procured for me an appointment of Paymaster in the regiment on the Continental Establishment, with the rank of Captain in the army. In this situation, besides attending to the duties of my station, I with my gun and bayonet was in many rencounters, and assisted at the taking of Burgoyne, and had the honour and pleasure of seeing his army pile their arms. In 1778 the regiment having lost near two-thirds of its number in the many battles and affairs of 1777, was ordered to the Southward, where it was expected it would be incorporated with other regiments, and the supernumerary officers discharged. At the request of my Vermont friends I resigned my station in the army, and the next week was chosen and appointed a Captain in the militia..

I was immediately appointed Paymaster-General of the Troops and the Militia of the State, Secretary to the Governor and Council, and assistant to the Treasurer. At the next election I was chosen a member of the Legislature, to which station I was afterwards 18 times re-elected. Twice I was returned from two places, having a home in both. One place chose me fearing the other would neglect me. In 1778 and 1779 our militia was much employed on the frontiers of New York and Vermont; they had the choice of regimental officers, and such was my reputation among them that in 1780 I had the vote of every officer and every soldier in the Regiment to fill the vacancy occasioned by the loss of our chief Colonel. The unanimity was occasioned by the Lieutenant Colonel insisting that the command of the regiment ought to be given to me, and that the example he set ought to be followed by the Majors and every officer that outranked me. This station I held until by the Peace I was allowed to move out of the bounds of the regiment on to lands I owned in the country that had been occupied by the enemy. At this time I renounced every public station, except that of representing the people in Conventions or Legislature, besides serving in many clerkships. I was frequently solicited to be a Judge, and once was appointed against my will and refusal. Although I lost almost all my property in the early part of the War by the encroachment of the enemy, and my giving my whole time to military pursuits, I had so attended to my affairs in the more advanced stages of the war, and towards its close, that I was able under the most favorable auspices to set agoing a number of mills and manufactures which made me rich; so that when the struggles commenced between aristocrats and democrats, I had wealth, high

political standing, an established character, and powerful connections attached to me by long riveted confidence, as well as matrimonial affinity, to throw in the scale. Nature, reflection and patriotism led me to take the Democratic side.

On a sudden I was surrounded by newspapers containing high toned British doctrines flowing in upon us from the hireling presses of New Hampshire in the east, Sedgwick & Co. in the south, New York apostates in the west, and Royalists of Canada in the north. Tory doctrines were flowing freely from the favoured presses of Vermont. The Republicans, save the family with which I was connected, were poor—all were parsimonious; while they cried out for a Republican press, and flattered me on the score of my wealth and generosity, they would not advance a cent. I gave \$1000—for press, types and apparatus. I hired a printer, the best Republican essays were selected. My pen was not idle; newspapers were dispensed, pay or no pay, by carriers who were to give half the price, but they always complained they could not collect their half. I had a paper mill, I had pamphlets containing these essays ready to give every traveler. By this means the Republican doctrines were scattered through the Northern States which are now bearing fruit. By my exertions to keep Vermont informed, the district I lived in was in the worst of times represented by a Republican, and when it was thought that Israel Smith was growing luke-warm the people sent me to Congress. Besides the original cost of my press and types which were so worn out in the public service that I could not sell them for \$100, the keeping that press going did not cost me less than \$3000 in five years.

In '98 and '99 Mr. Jefferson pressed me much to obtain a printer to print a Republican paper at Staunton. After considerable inquiry I could persuade no one I thought competent to the undertaking willing to go there; I had a nephew brought up in my family—a pretty good workman and industrious, but not likely to make an editor; I stated this to Mr. Jefferson; he said he would do, the editorship would be attended to by a friend on the spot. At his request communicated through your father I brought him to Philadelphia, and he was at the cost of the Virginia Republicans set up in Staunton. After a little while he complained that the funds provided were exhausted—that the paper would not support itself, but he thought if he could get a small book store, he could make a living out of both. I procured for him \$1000 worth of books and sent them to him. After worrying along for some time he got sick and in debt; his office and the remnant of the book store were sold to pay his debts. I have never received a cent for my \$1000.

You can but recollect our victory over Federalism by Mr. Jefferson's election, and the part I bore in that memorable transaction. Had I left the House, my colleague would have given the vote of Vermont. Dent would have left the House also, and Maryland's vote would have been for Burr, and Linn would have changed his vote; he had repeatedly signified to me that he would; in that case Burr would have been elected. Brown of Rhode Island was placed by my side for the purpose of corrupting me;—he did his best. It was believed by your father and many others that I might have received \$30,000 merely to absent myself. I have no claim on this score, except the claim I have to having it remembered I did my duty under



circumstances which might have been considered by some as temptations. I could not be tempted by all the wealth of the aristocracy to fail in the duty I owed the nation at that time. Last August the people of the District were extremely anxious to have me represent them in Congress again. But previous to our having knowledge of the Compensation Law, and the stir occasioned by it, I had pledged myself to support one Patton—a smart sensible lawyer in an adjoining county who had been of use to us in the Legislature of the State. When he could not be elected, they wished him to consent to my offering; he persisted he could be elected. New offered and was elected when his supporters chiefly voted for him, because they would not have a lawyer. The probability is that at the next election I can be elected if my luck changes.

From Mr. Madison I have nothing to expect, although I do not think there is a man in the world that has a higher opinion of my political knowledge or integrity. I have conversed much with him on matters wherein we differed; he has felt the weight and justice of my observations. He has felt the weight of my pen when it has followed his, but he knows I opposed his election, and that I always preferred Mr. Monroe to him, whom I have ever esteemed. I was pleased when he went to France. I was one of those who at Philadelphia gave him a public welcome home when Mr. Adams and his party turned a scornful eye to him. When I took the tour of Virginia on my way to this country, agreeably to the wishes of your father and his friends, I zealously recommended James Monroe for Governor, and a general ticket for President. I spent more than a month in Virginia on that tour; being just out of prison, I was looked

to as a martyr, and every word had weight. I urged his appointment to the English Embassy. I was pleased with his conduct there and with his Treaty. I defended and ever defended his character; I defended him in the papers in our part of Kentucky, while the papers hereabouts were vilifying and belittling him. I lost my election for elector by 80 votes because the printers in this part of the State, whose papers chiefly circulate in the greater part of the lower third part, or nearer half of the State, which formed our district, would not insert my name as a candidate, so that I have nothing to fear from a difference of opinion between Mr. Monroe and myself.

I am, dear sir, with great respect and affection,

Your obedient servant,

M. LYON.

P. S.—I have written to my old friend Macon, to friend McKee, and to my old acquaintance Tichenor in the Senate.

I wish you to converse with them on the subject.

M. L."

#### A POLITICAL CURIOSITY.

The Appendix would be incomplete without Colonel Lyon's letter to Niles's "Register," written in April, 1822, three months before his death, and published in the "Register" December 7, 1822. Mr. Niles, in introducing it in his columns, says: "It contains a large portion of wholesome truth, and may be regarded as that which we have called it—a political curiosity." But it is deeply to be regretted that the editor saw fit to omit Lyon's opinions of several candidates for the Presidency, and his frank and free remarks on their claims and competency.

He knew public men thoroughly, and was in the habit of telling the truth inflexibly. Hence the pity his manly opinions were suppressed by timid Mr. Niles. This letter is in Colonel Lyon's characteristic style, and, as his last public utterance, may be regarded as a farewell address to his fellow-citizens:

"Mr. Niles: A quotation from a Washington city paper, exulting in the continued carnival and the constant routine of dissipation kept up in that Modern Venice, has roused the dormant pen of a man of old times, and led him to request a place in your Register for his lucubrations on the much agitated subject, the next presidential election. Nothing could more accord with the feelings and opinions of those I converse with, than your determined opposition to a congressional caucus on this subject. No place so improper for president-making as Washington, in which the most eminent sycophants of the nation are gathered together.

What habits of dissipation and extravagance have the rulers of this republican nation descended to since the declaration of our independence. In those days we recollected with consolation and pleasure what was said to their master by the Spanish envoys sent to treat with the revolted Netherlanders, whose negotiators furnished their frugal meals from their own wallets: "Such men," said the haughty Spaniards, "cannot be conquered, their frugality will save them." In former times, we prided ourselves in the simplicity of our habits, and the unostentatiousness of our rulers.

Luxury, dissipation, extravagance and effeminacy, their concomitants, have been the destruction of many ancient nations besides proud Rome, which from being mistress of the world,

has dwindled to the mere patrimony of a pontiff. Every person conversant with the history of the French revolution, knows that the dissipation, the luxury, the debauchery, effeminacy and the rapacity of the court, brought on the bloody scenes and the heartrending miseries which that giddy nation has suffered. We have before us the warning fate of the British nation, where the avails of the hard earnings and the life labor of thousands and tens of thousands are screwed from them to glut the rapacity of an individual, who regards them less than he does his dogs. Time was when the people of the British Isles would not have borne with this; but, with the people's money, the devouring government buys men and arms to enable it to wrest the means of defence from the oppressed, build prisons to incarcerate, and gallowses to hang those on who dare to murmur or complain. However distant from us this state of things may seem to be, dissipation, extravagance and luxury is the sure road that leads to it. Our civil list expenditure has increased within about thirty years, faster than ever did that of Great Britain: while our population has been increasing at the rate of from four to ten, the expenditure for support of our national government has more than ten folded; for the year 1790, \$141,492.73 cents was the appropriation; of late years more than a million and a half has been appropriated for the support of the civil list. About two thirds of this sum, besides a considerable share of many other appropriations, is spent in our beggarly capital, too much of which is applied to purposes of corruption and political prostitution. In 1790, when the necessities of life were about the same price that they are now, \$16,750 paid the salaries of the secretaries, the comptroller, the auditor, the treasurer, and the

register, and \$800 each was appropriated for the salary of the first clerks. In 1821, there was appropriated for the salaries of the officers of the same denomination \$51,500, and \$1,800 were given to an inferior clerk.

It is not merely on account of the number of mendicants begging alms in the streets, that I call Washington our "beggarly capital." They are much easier got rid of than the beggars to be met with in higher life.

While I sojourned in that City I was almost daily assailed by a host of clerks complaining of the parsimony of congress, the scanty pittance allowed them, and the expenses of living. I have often been tired with hearing one or other of them compare his salary and his duties with those of more favored clerks, always insisting that his duties were more important and more difficult than the other whose salary was higher. I recollect one of the clerks lamenting, that he had to give two dollars that morning for about a quart of green peas, and a dollar for a pair of small chickens. This was so early in the season that I had not imagined that the peas were in bloom, and when I thought chickens of that year could not be fit to eat. I observed to him that flour was selling at six dollars a barrel, and bacon at eight cents a pound—and that the price of a few quarts of such peas would purchase a cow, which could get her living in the common while she gave milk for his children. As for his part, he replied, that he could not eat bacon, and did not like milk, and his children were not used to them.

The next class of beggars were the officers and their assistants in waiting about congress hall. Those by their civilities, their attentions, their gestures and their intimations, were constantly reminding the members of their wants and wishes.

Whenever I fell in company with a number of the officers of the army, I was sure of being reminded of the parsimony of congress, and of being told how poorly they were paid.

The judges of the District of Columbia (a District which ought to pay its own judges) were, one or other of them, ever complaining of the parsimony of congress, and begging for a larger salary.

The most importunate beggars of all were the higher officers. With those I have occasionally dined, and where the greatest profusion prevailed. There might be seen fresh beef, pork and butter from Maryland, mutton from Pennsylvania, hams from Burlington, turkeys and chickens from Virginia, pickled beef and codfish from Massachusetts, potatoes from Carolina and from Maine; wild fowl and fresh fish from the Potomac; salmon from Canada; oysters from New York; olives and spices from both the Indies; raisins and figs from the Mediterranean; nuts from Germany, Italy and the Mississippi; brandy from Nantz; rum from Jamaica; gin from Holland; cheese from the Netherlands, from England and from Connecticut; wines from Spain, France, Germany, Portugal, Madeira and the Cape of Good Hope; and porter from London.

While the cloth was removing and the glasses replacing, some sycophant, (perhaps a member of congress) was sure to commence a dissertation on the parsimony of our government, and the inadequate compensation given to our officers. The more frequently the glasses were emptied the more attention was paid to the orator, until his doctrine was echoed from side to side. Too often have the guests carried the infatuation away with them, and I have had occasion to entreat them to resume their reason and their common sense—referring them to what

their eyes had seen and their lips had tasted, to convince them that instead of being parsimonious the government gave too much to their officers, when they enabled them to feed their guests in a style so far above the medium of good-living. I reminded them that man was much the creature of fashion and imitation, and begged them to look around and consider what a number there was plunging themselves into ruin and misery, by their endeavors to furnish a table like that we had lately sat at, always insisting that it was impolitic, as well as immoral to appropriate the hard earnings of the people for the encouragement and support of such voluptuousness.

I have been led to these recollections and reflections by the perusal of the before mentioned extract from a Washington City paper, which says, "This place can never be tedious. The pleasures of the day are succeeded by the pleasures of the night; for the president and his four secretaries, by means of drawing rooms and parties have appropriated the nights to pleasure as well as the day." One would be led to believe that members of congress and strangers of distinction would be surfeited by this continued succession of delights, and "like the bee, die on the rose in aromatic pain." But no such thing—their appetites are rather sharpened than blunted by perpetual indulgence, and the poor secretaries, who are all looking up to the presidency, are obliged to feed and plaister them on all occasions.

Is it for this that the people of the nation send representatives to Washington, and pay each of them \$56 a week? Is it to spend their nights in revelry and their days in slumber, that they have been sent there? Is it to enable the higher officers of government "to feed and plaister," to corrupt and

prostitute their representatives, that they have suffered the late great increase of their salaries to pass almost unnoticed? If this apathy is continued, they will only merit the political degradation and perdition which infallibly await them.

I by no means consider it amiss for the president to invite members of congress and strangers of distinction to call upon him and dine with him, or for a drawing room entertainment, once in a while, to be given at his house. At those convivial meetings, the president has an opportunity to become personally acquainted with his guests, and they with him and with one another. Their sentiments and opinions are frequently interchanged. This practice prevailed in the early stages of the government, and, for its support, a superb mansion, ready furnished, is provided, and \$25,000 salary for the president is appropriated. But, at the rate things seem to be going on, the poor secretaries are not to leave off feeding and plaistering, nor congress giving, until each of them has \$25,000 a year to support the magnificent 'succession of delights,' those 'pleasures by day' and 'pleasures by night,' so boastingly spoken of by the Washington editor—who tells us the secretaries are all looking to the presidency; and it seems by the run of the tale, that one or other of them is expected to be foisted into the presidential chair by this banqueting and revelry.

It has been too much the practice of the candidates for the electorship to pledge themselves to vote for this or that particular candidate. This practice, as well as the congressional caucus, ought to be discarded, and by the legislature of every State naming the persons they wish to be the next president and vice-president, that the electors will be able to select men who will give satisfaction to the nation. Satisfaction to the



nation is the main point—as the elements and principles of our government are so plain and simple, that there are more than one thousand honest, well informed men in the States who are as capable of administering the government for four or eight years, as any of the most celebrated candidates hitherto spoken of, while the number of exceptionable characters, who aspire to the station, is comparatively small.

Hoping and believing that the legislatures of the States will generally fall into the practice of nomination, I have amused myself with contemplating the extended field of choice which will be presented to the electors.

I hope the presidential chair will never be filled by a man under sixty years of age, until there shall be a constitutional bar against electing the same person oftener than once or twice. A president of the United States possesses such vast powers and prerogatives, and such immense patronage,—has so many offices and favors to bestow, and so much public money to disburse, that it is next to impossible to oust one who shall act with a common share of prudence and foresight. Had Gen. Washington chosen to accept a third election, although not without objection, he would have obtained it by seven eighths of the electoral votes. So with Mr. Jefferson,—he had early to announce his solemn determination not to accept a third election, in order to avoid solicitation,—and to him we owe the rule which forbids any person to look for a third election to the presidency. It is but a rule however. I have never been better pleased with the political course of a president than that of Mr. Monroe,—yet I have trembled for fear that he would be induced, by the sycophancy which surrounds him, to agree to accept a third election.”

Mr. Niles abruptly cuts off Colonel Lyon here, with this editorial remark:

“The writer then proceeds to mention several persons who, he supposed, might be nominated by the several States, and gives his remarks freely on their claims and competency, &c., all of which we think it better to omit. He concludes with these words: ‘Such are the opinions of a man of old times, written on the Mississippi, in April, 1822.’”

FINIS.

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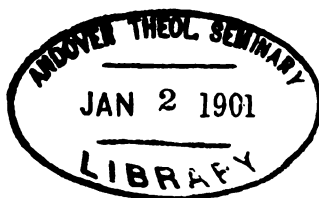
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